SAN FRANCISCO PUBLIC LIBRARY
3 1223 06446 5801

[redacted] 5/S

San Francisco Public Library

Government Information Center
San Francisco Public Library
100 Larkin Street, 5th Floor
San Francisco, CA 94102

REFERENCE BOOK

Not to be taken from the Library

Digitized by the Internet Archive
in 2015

https://archive.org/details/meetingminutesb2001sanf_1

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

***City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689***

DOCUMENTS DEPT.

FEB 26 2002

SAN FRANCISCO
PUBLIC LIBRARY

MEETING MINUTES

Monday, September 17, 2001 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

WILL BEGIN AT APPROXIMATELY 3:00 P.M. FOLLOWING THE S.F. DAY OF REM

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Audit, Labor and Government Efficiency Committee Supervisors Newsom, Daly, McGoldrick	2nd & 4th Tuesday 1:00 PM
City and School District Committee Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar	Call of the Chair
Economic Vitality, Small Business and Social Policy Committee Supervisors Sandoval, Newsom, Maxwell	1st & 3rd Tuesday 10:00 AM
Finance Committee Supervisors Leno, Peskin, Gonzalez	Wednesday 10:00 AM
Housing, Transportation and Land Use Committee Supervisors McGoldrick, Daly, Peskin	2nd & 4th Thursday 10:00 AM
Neighborhood Services and Parks Committee Supervisors Yee, Hall, Sandoval	1st & 3rd Tuesday 1:00 PM
Public Health and Environment Committee Supervisors Maxwell, Yee, Leno	2nd & 4th Tuesday 10:00 AM
Public Utilities and Deregulation Committee Supervisors Daly, Gonzalez, Ammiano	Call of the Chair
Rules Committee Supervisors Gonzalez, Hall, Ammiano	1st & 3rd Thursday 1:00 PM

First-named Supervisor/Commissioner is Chair. Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 96 Number 36

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Leland Y. Yee.

Members Absent: Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 3:12 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors McGoldrick, Newsom, Peskin, Sandoval - 4.

Quorum present.

Supervisor Newsom noted present at 3:14 p.m.

Supervisor McGoldrick noted present at 3:22 P.M.

Supervisors Peskin and Sandoval were excused. (See infra.)

Supervisors Peskin and Sandoval Excused from Attendance

Supervisor Leno, seconded by Supervisor Daly, moved to excuse Supervisors Peskin and Sandoval from attending this meeting. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled or considered differently.

There were none.

COMMUNICATIONS

SPECIAL ORDER 3:00 P.M.

3 1223 06446 5801

011613 **[Emergency Declaration Concurrence]**
Supervisor Ammiano

Motion concurring in the September 11, 2001 Declaration of the Existence of a Local Emergency for Limited Purposes by the Mayor, in the actions taken to meet the emergency, and in the termination of the emergency.

Motion No. M01-135

APPROVED by the following vote:
Ayes: 8 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Yee
Absent: 3 - McGoldrick, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

011391 **[Appeal, Conditional Use, 4501 Irving Street]**
Motion approving decision of the Planning Commission by its Motion No. 16182 approving Conditional Use Application No. 2000.1261EC, on property located 4501 Irving Street, southwest corner of Irving Street and 46th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Yee moved to continue to September 24, 2001.

CONTINUED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

011392 **[Appeal, Conditional Use, 4501 Irving Street]**
Motion disapproving decision of the Planning Commission by its Motion No. 16182 approving Conditional Use Application No. 2000.1261EC, on property located 4501 Irving Street, southwest corner of Irving Street and 46th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Yee moved to continue to September 24, 2001.

CONTINUED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

011393 **[Findings - 4501 Irving Street]**
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2000.1261EC, on property located 4501 Irving Street, southwest corner of Irving Street and 46th Avenue, for action by the Board at its next meeting. (Clerk of the Board)

Supervisor Yee moved to continue to September 24, 2001.

CONTINUED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

Recommendations of the Finance Committee

010845 **[Dancehall Permits]**
Supervisors Daly, Gonzalez, Peskin, Leno

Ordinance amending San Francisco Police Code Section 1023 to exempt dances and dancehalls from the need to obtain a dancehall permit if the location where the dance is being held has a place of entertainment permit and provides free drinking water.

Ordinance No. 200-01
FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

011242 **[Requiring situs and/or street name on recorded documents]**
Supervisor Yee

Ordinance amending Article 12C of Part III of the San Francisco Municipal Code (Real Property Tax) by amending Section 1102.1 thereto to require that every document pertaining to real property that is submitted for recordation show on the face of the document the commonly-known situs and/or street name and number of the real property described therein.

Ordinance No. 201-01
FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

011405 **[Appropriation, Police Department]**
Supervisors Leno, Daly

Ordinance reallocating $1,200,000 retroactively from Police Department appropriations to the Fire Department to fund the cost of uniform firefighters for fiscal year 2000-01.

(Fiscal impact.)

Ordinance No. 194-01
FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

011499 **[Setting San Francisco's 2001-2002 property tax rate and establishing passthrough rate for residential tenants]**
Mayor

Ordinance providing revenue and levying property taxes for City and County purposes and establishing passthrough rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2002. (Mayor)

Ordinance No. 195-01
FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

011500 **[Setting San Francisco's Unified School District's 2001-2002 property tax to be included in the City's overall property tax rate]**
Mayor

Ordinance providing revenue and levying property taxes for San Francisco Unified School District's purposes for the fiscal year ending June 30, 2002. (Mayor)

Ordinance No. 196-01
FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

011501 **[Setting San Francisco Community College District's 2001-2002 property tax rate to be included in the City's overall property tax rate]**
Mayor

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2002. (Mayor)

Ordinance No. 197-01
FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

011502 **[Adjusting Appropriations - Art Commission]**
Mayor

Ordinance amending the Annual Appropriation Ordinance for Fiscal Year 2001-2002, File Number 011041, Ordinance Number 170-01, adjusting appropriations to meet the requirements of the Art Commission pursuant to Charter Section 16.106(1). (Mayor)

Ordinance No. 198-01
FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

Recommendation of the Neighborhood Services and Parks Committee

011179 **[Federal Grant - Improvements at Civic Center-United Nations Plazas/Mid-Market]**
Resolution authorizing the Director of the Department of Public Works (DPW) to accept and expend $936,325 in federal Transportation, Community and System Preservation (TCSP) funds for improvements in Civic Center-United Nations Plazas/Mid-Market. (Public Works Department)

Supervisor Daly moved to continue to September 24, 2001.
CONTINUED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

Recommendation of the Rules Committee

010762 [Selection of Police Inspectors]

Ordinance amending Section 2A.78 of the San Francisco Administrative Code to conform with post Consent Decree requirements regarding the administration of examination for the rank of Assistant Inspector. (Police Department)

Ordinance No. 202-01

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

NEW BUSINESS

Recommendations of the Housing, Transportation and Land Use Committee

011239 [School Passenger Loading Zones]
Supervisors McGoldrick, Leno, Maxwell

Ordinance amending San Francisco Traffic Code Section 38.I requiring the designation of white zones at all kindergarten through 12 schools for the loading and unloading of passengers during school hours.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

011240 [School Bus Loading Zones]
Supervisors McGoldrick, Leno, Maxwell

Ordinance amending San Francisco Traffic Code Section 33.5 establishing special school bus loading zones at all kindergarten through 12 school sites.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

011271 **[Passenger zones designated as tow-away zones]**
Supervisors McGoldrick, Leno, Maxwell

Ordinance amending San Francisco Traffic Code Section 38.C authorizing the towing away of vehicles parked in designated passenger loading zones.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

011244 **[Fluorescent yellow-green school crossing]**
Supervisors McGoldrick, Leno, Maxwell, Hall

.Resolution commending the Department of Parking and Traffic on its efforts and urging the Department of Parking and Traffic to continue to install new oversized, state approved fluorescent yellow-green school crossing and pedestrian crossing signage and ladder style markings at crosswalks contiguous to all kindergarten through grade 12 posted school zones, senior centers, senior housing complexes, hospitals, major parks, youth recreation centers, public museums, and performing arts centers.

Resolution No. 730-01

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Bill Grant, Planning Commission;
Roger Beasley, SFPTA, seniors, children and disabled;
John Jenkel, corruption of animal care and control;
Robert McCarthy, items relating to refuse collection should be sent to committee;
Harriet Mislein, closure of Coffman Swimming Pool;
Rebecca Sawyer, closure of Coffman Swimming Pool.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

011589 **[Legislative Analyst Request]**
Supervisor Gonzalez

Motion asking the Legislative Analyst to prepare a report on non-citizen's right to vote in elections such as school board, city council, ballot measures, and other local or state elections. Also, to determine if there are any instances where non-citizens are allowed to stand for elective office.

APPROVED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

011590 **[Legislative Analyst Request]**
Supervisor Leno

Motion asking the Legislative Analyst to (1) Study the City of Houston's program to pay for e-mail and Internet services to city residents with free access on Public Library computers to address the digital divide issue; (2) Examine cost and management of program to consider the feasibility for San Francisco to replicate the program here.

APPROVED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 22 through 27

011582 **[Domestic Partners - Joint Tenants]**
Supervisor Leno

Resolution urging the California State Legislature to pass legislation which would provide to domestic partners holding property as joint tenants the same protections from reassessments upon the death of one of the joint tenants as are currently enjoyed by married couples.

Resolution No. 733-01
ADOPTED

011583 **[Out-of-State Tuition Exemption for Immigrant Students]**
Supervisor Leno

Resolution urging the California State Assembly to pass AB540, the Out-of-state Tuition Exemption for Immigrant Students bill.

Resolution No. 734-01
ADOPTED

011584 **[Supporting Senate Bill 953]**
Supervisor Sandoval

Resolution supporting passage of California Senate Bill 953, the California Integrated Care and Involvement Act of 2001.

Resolution No. 735-01
ADOPTED

011554 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M01-134
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

Severed from Adoption Without Committee Reference

011560 **[Management Audit, Refuse Collection]**
Supervisor Daly

Motion directing the Budget Analyst to conduct, as soon as possible, a fiscal and management audit of Sunset Scavenger Company, Golden Gate Disposal, Sanitary Landfill and Norcal Waste Systems, which operate in the City and County of San Francisco pursuant to the Refuse Collection and Disposal Ordinance enacted by the voters of San Francisco on November 8, 1932.

Supervisor Daly, seconded by Supervisor Yee moved to table.

TABLED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

011622 **[Audit of 2001 Garbage Rate Application Process and Rate Increase]**
Supervisor Ammiano

Motion requesting that the Budget Analyst conduct an expedited audit of the 2001 Garbage Rate Application and recent Residential Rate Increase.

9/17/01 - Supervisor Ammiano presented an amendment of the whole bearing new title.
AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion requesting that the Budget Analyst conduct an expedited review of the audited financial statements for Sunset Scavenger Company, Golden Gate Disposal, Sanitary Fill Company and Norcal Waste Systems and review the 2001 garbage rate application process and recent residential rate increase.

Motion No. M01-136
APPROVED AS AMENDED by the following vote:
Ayes: 8 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom
Noes: 1 - Yee
Absent: 2 - Peskin, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Leno, seconded by Supervisor Newsom, moved. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Leno, seconded by Supervisor Newsom, moved. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

Imperative Agenda

011630 [Supporting HR 2888]
Supervisor Newsom

Resolution supporting House of Representatives Joint Resolution expressing the Sense of Congress and HR: 2888 the "2001 Emergency Supplemental Appropriations Act for Recovery from the Response to Terrorist Attacks of the United States" appropriating $40,000,000,000 for emergency expenses to respond to the terrorist attacks on the United States.

Resolution No. 724-01

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

011631 [Condemning Terrorist Attack on the Sovereignty and Peoples of the United States]
Supervisor Daly

Resolution denouncing the terrorist acts of September 11, 2001, urging swift and just apprehension of the perpetrators of said acts, supporting immigrant and religious minority communities against domestic terrorism and swift prosecution of hate crimes, and decrying war as an answer to intractable socio-political problems.

Resolution No. 732-01

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

011632 [Commending Bill Sorro]
Supervisors Daly, Ammiano

Resolution commending Bill Sorro for decades of tireless service as a tenant and community advocate, rank- and file trade union activist, and grandfather to 10 kids.

Resolution No. 731-01

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

011633 [Commending the Police of New York City and Washington D.C.]
Supervisors McGoldrick, Leno

Resolution commending the Police of New York City and Washington D.C. for their heroism surrounding the tragic events; grieving for those who have fallen in the line of duty; and expressing deepest sympathy and steadfast camaraderie with surviving co-workers and family whose lives will be forever altered.

Resolution No. 725-01

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

011634 [Commending Firefighters/E.M.S. Workers of New York City]
Supervisors McGoldrick, Leno

Resolution commending the Firefighters/E.M.S. Workers of New York City and Washington D.C. for their heroism surrounding the tragic events; grieving for those who have fallen in the line of duty; and expressing deepest sympathy and steadfast camaraderie with surviving co-workers and family whose lives will be forever altered.

Resolution No. 726-01

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

011635 [Expressing deepest sympathy to the people of New York City]
Supervisors McGoldrick, Leno

Resolution expressing deepest sympathy and steadfast camaraderie with the people of New York City, those who lost their lives in the collapse of the World Trade Center buildings, and all those whose lives have been forever altered by the tragic events of September 11, 2001.

Resolution No. 727-01

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

011636 [Expressing deepest sympathy to citizens of San Francisco]
Supervisors McGoldrick, Leno

Resolution expressing deepest sympathy and steadfast camaraderie with the friends and family of those citizens of San Francisco who lost their lives in the tragic events of September 11, 2001.

Resolution No. 728-01

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

011637 [Expressing deepest sympathy to the people of Washington D.C.]
Supervisors McGoldrick, Leno

Resolution expressing deepest sympathy and steadfast camaraderie with people of Washington D.C., those who lost their lives at the Pentagon, and all those whose lives have been forever altered by the tragic events of September 11, 2001.

Resolution No. 729-01

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Absent: 2 - Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

011638 [Industrial Protection Zone Special Use District Zoning Code Amendment]
Supervisor Ammiano

Ordinance amending the Planning Code by adding Section 249.22 to create Industrial Protection Zone Special Use District that prohibits residential, live/work and office uses and adopting findings pursuant to Section 101.1.
9/17/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 10/17/2001.

011639 [Industrial Protection Zone Special Use District Zoning Map Amendment]
Supervisor Ammiano

Ordinance adopting changes in property use classification by amending the zoning maps of the City and County of San Francisco for Industrial (M-2, M-1 and CM) zones in the area bounded by Bayshore Boulevard, Third Street, Evans Avenue, Rankin Street, Phelps Street, Oakdale Avenue, Selby Street and Helena Street.

(Preliminary Negative Declaration dated June 22, 2001, Case No. 2001.0602ETZ; Planning Commission Resolution No. 16224 adopted September 6, 2001, recommending amendment of the Industrial Protection Zone - Special Use District; companion measure to File 011638.)
9/17/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 10/17/2001.

011640 [Planning Code Amendment - Section 306.4, Records]
Supervisor Leno

Ordinance amending the Planning Code by amending Section 306.4 to require the Planning Department, at the request of members of the public or the project sponsor, to bring specified project records to Planning Commission, Zoning Administrator, Board of Supervisors and Board of Appeals hearings on applications for conditional use, variance, demolition or discretionary review.

(Received Certificate of Exemption/Exclusion from Environmental Review dated 10/17/01)
9/17/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 10/17/2001. 9/24/01-Transmitted to Planning Commission for public hearing and recommendation.

011641 [Continuation or Acceleration of Noticed Hearings]
Supervisor Leno

Ordinance amending the San Francisco Planning Code by amending Section 306.4 to provide that once a discretionary review or conditional use case has been noticed for public hearing on an official meeting agenda, the hearing date may not be continued or accelerated without the Department consulting with the principal opponents, if known, and making a good-faith effort to select a mutually agreeable hearing date and to provide that the Planning Commission may not continue the case the day of the hearing except under extraordinary and unforeseen circumstances; and by amending the San Francisco Business and Tax Regulations Code by amending Section 14 to impose the same limitations on continuances and accelerations of hearing dates for matters at the Board of Appeals.

(Received Certificate of Exemption/Exclusion from Environmental Review dated 10/17/01)
9/17/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 10/17/2001. 9/24/01-Transmitted to Planning Commission for public hearing and recommendation.

001262 [Inclusionary Affordable Housing Program]
Supervisors Leno, Newsom, Sandoval, Maxwell, McGoldrick

Ordinance amending the San Francisco Planning Code to add Sections 315 to 315.9 to establish requirements for residential developments of 10 units or more to provide inclusionary housing units.

(9/17/01 in Board: Supervisor Leno submitted a substitute ordinance bearing new title.)
(Received Certificate of Exemption/Exclusion from Environmental Review dated 9/5/01)
7/10/00, ASSIGNED UNDER 30 DAY RULE to Finance and Labor Committee, expires on 8/9/2000. 7/13/00, referred to Planning Commission for public hearing and recommendation.
9/5/00, received from Planning Department General Rule Exclusion from Environmental Review.
2/1/01, TRANSFERRED to Housing, Transportation and Land Use Committee. New committee structure.
8/2/01, FILED PURSUANT TO RULE 5.38.
9/17/01, REACTIVATED PURSUANT TO RULE 5.24. Supervisor Leno requested this matter be reactivated.
9/17/01, SUBSTITUTED. Supervisor Leno submitted a substitute ordinance bearing new title.
9/17/01, ASSIGNED to Housing, Transportation and Land Use Committee. 9/21/01-Transmitted to Planning Commission for public hearing and recommendation.

Resolutions

011630 [Supporting HR 2888]
Supervisor Newsom

Resolution supporting House of Representatives Joint Resolution expressing the Sense of Congress and HR: 2888 the "2001 Emergency Supplemental Appropriations Act for Recovery from the Response to Terrorist Attacks of the United States" appropriating $40,000,000,000 for emergency expenses to respond to the terrorist attacks on the United States.
9/17/01, ADOPTED.

011631 **[Condemning Terrorist Attack on the Sovereignty and Peoples of the United States]**
Supervisor Daly

Resolution denouncing the terrorist acts of September 11, 2001, urging swift and just apprehension of the perpetrators of said acts, supporting immigrant and religious minority communities against domestic terrorism and swift prosecution of hate crimes, and decrying war as an answer to intractable socio-political problems.
9/17/01, ADOPTED.

011632 **[Commending Bill Sorro]**
Supervisors Daly, Ammiano

Resolution commending Bill Sorro for decades of tireless service as a tenant and community advocate, rank-and file trade union activist, and grandfather to 10 kids.
9/17/01, ADOPTED.

011633 **[Commending the Police of New York City and Washington D.C.]**
Supervisors McGoldrick, Leno

Resolution commending the Police of New York City and Washington D.C. for their heroism surrounding the tragic events; grieving for those who have fallen in the line of duty; and expressing deepest sympathy and steadfast camaraderie with surviving co-workers and family whose lives will be forever altered.
9/17/01, ADOPTED.

011634 **[Commending Firefighters/E.M.S. Workers of New York City]**
Supervisors McGoldrick, Leno

Resolution commending the Firefighters/E.M.S. Workers of New York City and Washington D.C. for their heroism surrounding the tragic events; grieving for those who have fallen in the line of duty; and expressing deepest sympathy and steadfast camaraderie with surviving co-workers and family whose lives will be forever altered.
9/17/01, ADOPTED.

011635 **[Expressing deepest sympathy to the people of New York City]**
Supervisors McGoldrick, Leno

Resolution expressing deepest sympathy and steadfast camaraderie with the people of New York City, those who lost their lives in the collapse of the World Trade Center buildings, and all those whose lives have been forever altered by the tragic events of September 11, 2001.
9/17/01, ADOPTED.

011636 **[Expressing deepest sympathy to citizens of San Francisco]**
Supervisors McGoldrick, Leno

Resolution expressing deepest sympathy and steadfast camaraderie with the friends and family of those citizens of San Francisco who lost their lives in the tragic events of September 11, 2001.
9/17/01, ADOPTED.

011637 **[Expressing deepest sympathy to the people of Washington D.C.]**
Supervisors McGoldrick, Leno

Resolution expressing deepest sympathy and steadfast camaraderie with people of Washington D.C., those who lost their lives at the Pentagon, and all those whose lives have been forever altered by the tragic events of September 11, 2001.
9/17/01, ADOPTED.

011642 **[Pedestrian Safety and Street Resurfacing General Obligation Bonds]**
Supervisor Ammiano

Resolution determining and declaring that the public interest and necessity demand the financing of street resurfacing, curb ramp construction, sidewalk improvement and street structure improvement projects and all other aspects necessary or convenient for the foregoing purposes, that the estimated cost of $150,000,000 is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the general plan consistency requirement of Administrative Code Section 2A.53.

(Fiscal impact.)
9/17/01, RECEIVED AND ASSIGNED to Finance Committee.

011643 **[SPUC Program Management Services Contract with the San Francisco Water Alliance]**
Supervisor Daly

Resolution disapproving the second year renewal (FY 2001-2002) of the Public Utilities Commission Program Management Services Contract with the San Francisco Water Alliance.
9/17/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

011644 **[Hate Crime Reward Fund]**
Supervisor Ammiano

Resolution urging the Mayor to direct the District Attorney's Office to use the "Hate Crime Reward Fund" specifically to target those who perpetrate hate crimes against Arab Americans during this time of national crisis.
9/17/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011645 **[Condemning all discrimination and racism]**
Supervisors Ammiano, Leno, Maxwell

Resolution condemning all discrimination and racism directed against Arab Americans, Muslim Americans and people of Middle Eastern descent, and support the use of all legal authority, and release additional resources as necessary, to prevent and respond to discrimination, hate crimes, and harassment in all forms.
9/17/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011646 **[September 11th Day of Tolerance]**
Supervisors Leno, Maxwell, Newsom, McGoldrick

Resolution declaring that annually September 11th shall be in San Francisco a "Day of Tolerance and Respect for Human Rights."
9/17/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011647 **[October 2, 2001 Walk to School Day]**
Supervisors Leno, Gonzalez, Maxwell, Newsom, McGoldrick

Resolution designating October 2, 2001 as "Walk to School Day" in San Francisco.
9/17/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011648 **[Supporting House of Representatives Bills HR. 1198, H. CON. RES. 195, United States Senate Bills S. 1154, S. 1272, S. 1302.]**
Supervisor Yee

Resolution in support of House of Representatives Bills HR 1198, H. CON. RES. 195, United States Senate Bills S.1154, S. 1272, S. 1302 on the 50th anniversary of the US-Japan Peace Treaty, to apologize for its wartime atrocities and provide just compensation for the members of the United States Armed Forces, World War II Veterans, Prisoners of War, "comfort women".
9/17/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

011649 **[Agreement to convey former Central Freeway Parcels to Redevelopment Agency]**
Mayor

Resolution approving and authorizing an agreement with the Redevelopment Agency of the City and County of San Francisco for the sale and grant of an option to purchase certain real property formerly occupied by the Central Freeway for the purpose of affordable housing; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's general plan and eight priority policies of City Planning Code section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution. (Mayor)
9/17/01, RECEIVED AND ASSIGNED to Finance Committee.

011650 **[Agreement to sell and exchange former Centeral Freeway parcels]**
Mayor

Resolution approving and authorizing agreements for the sale at fair market value and for the exchange of certain real property formerly occupied by the Central Freeway; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's general plan and eight priority policies of City Planning Code section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution. (Mayor)
9/17/01, RECEIVED AND ASSIGNED to Finance Committee.

011651 **[Development strategy and issuance of RFPs]**
Mayor

Resolution endorsing the strategy for development of certain real property formerly occupied by the Central Freeway and the issuance of requests for proposals. (Mayor)
9/17/01, RECEIVED AND ASSIGNED to Finance Committee.

011652 **[Commend - Leaders of SF Communities]**
Supervisors Leno, McGoldrick, Maxwell, Newsom

Resolution commending the leaders of San Francisco communities of faith for their response to the tragic events of September 11, 2001.
9/17/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

011653 **[Charter Amendment - Ethics Commission]**
Supervisor Ammiano

Charter amendment (First Draft) to amend Section 15.100 to allow the Ethics Commission to place ballot arguments in the Voter Information Pamphlet regarding ballot measures that affect the Commission's structure, authority or jurisdiction, or ballot measures placed on the ballot by or at the request of the Commission.
9/17/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2001.

011654 **[Public Advocate; Department of Neighborhood Empowerment]**
Supervisor Daly

Charter amendment (First Draft) to amend Article VI and add Section 16.121 to create the Public Advocate; to establish the Department of Neighborhood Empowerment; and to create neighborhood councils.

(Fiscal impact.)
9/17/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2001.

011655 **[Charter Amendment - Redrawing Supervisorial District Lines]**
Supervisor Gonzalez

Charter amendment (First Draft) to amend Section 13.110 in order (1) to establish new supervisorial district lines; (2) to provide that an Elections Task Force shall redraw district lines following the 2010 federal census and thereafter; (3) to designate new appointing authorities for the Elections Task Force; (4) to require the use of adjusted census figures in redistricting supervisorial districts; (5) to increase the allowable population deviation between districts; and (6) to set deadlines after the 2010 federal census for appointment of the Elections Task Force and for completion of redistricting.
9/17/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2001.

011656 [Charter Amendment - Public Utilities Commissioners]
Supervisor Hall

Charter amendment (First Draft) to amend Section 4.112 to require each Public Utilities Commissioner to meet specific qualifications for appointment.
9/17/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2001.

011657 [Charter Amendment - Domestic Partner Benefits]
Supervisor Leno

Charter amendment (First Draft) to amend Appendix 8.500-2, relating to domestic partner benefits.
9/17/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2001.

011658 [Charter Amendment - Building Inspection Commission]
Supervisor McGoldrick

Charter amendment (First Draft) to amend Section 4.121 to revise the allocation of appointments by the Mayor and the Board of Supervisors to the Building Inspection Commission.
9/17/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2001.

011659 [Charter Amendment - Cost of Living Benefits for Retirees]
Supervisors McGoldrick, Hall, Daly, Sandoval, Newsom, Maxwell, Ammiano

Charter amendment (First Draft) to amend Appendix A8.526-1, relating to supplemental cost of living benefits for retirees and their survivors.

(Fiscal impact.)
9/17/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2001.

011660 [Charter Amendment - Runoff Voting for Elective Offices]
Supervisor McGoldrick

Charter amendment (First Draft) to amend Sections 13.101 and 13.102 and add new Section 13.102.5 to provide for the election of the Sheriff, Treasurer, Assessor-Recorder, Public Defender, and members of the Board of Supervisors using a ranked-choice, or "instant run-off," ballot, to require that City voting systems be compatible with a ranked-choice ballot system, and setting a date and conditions for implementation.
9/17/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2001.

Requests for Hearing

011620 [Alkyl Nitrates]
Supervisors Ammiano, Leno

Hearing regarding Alkyl Nitrates, commonly known as "Poppers", to discuss: (1) The point of sale warning, particulary if the warning needs to be revised; (2) How effective is it; (3) Is it being enforced.
9/17/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Sponsor requests this item be scheduled for consideration at the September 25, 2001 meeting.

011629 [Exotic Dance Establishments]
Supervisor Peskin

Hearing to address the safety conditions within San Francisco's exotic dance establishments, the working conditions for dancers and other club employees, and to explore how public agencies can ensure a safe and healthy working environment within these establishments.
9/17/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

011661 [PG&E Obligation of Service]
Supervisor Leno

Hearing to consider PG&E's obligation of service to the City of San Francisco given reports of poor service that appear to conflict with PG&E's franchise agreement.
9/17/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

011662 [Independent Auditor's Interim Management Letters]
Supervisor Newsom

Hearing to consider the interim management letters for the City and County of San Francisco as issued by the City's independent auditors based on their interim testwork performed for the fiscal year ended June 30, 2001.
9/17/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Sponsor requests this item be scheduled for consideration at the September 25, 2001 meeting.

011663 [San Francisco Dog Owner Group]
Supervisor Yee

Hearing to discuss the desires and concerns of the San Francisco Dog Owners Group in the interest of reaching a balanced approach to accommodating responsible off-leash dog recreation in San Francisco parks. The hearing will review the SF DOG's proposed policy in order for the Recreation and Park Department to create useful solutions to improving the quality of the park experience for park users, dogs, and their owners in a manner that takes into account the interests of all concerned parties.
9/17/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

Motions

011628 [Legislative Analyst Request]
Supervisor Peskin

Motion asking the Legislative Analyst to explore governmental reforms that would allow more efficient utilization of street space by construction projects, which has potential to minimize the inconvenience that local residents currently face.
9/17/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration September 24, 2001.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

011556 **[Acceptance of Street for Maintenance]**

Ordinance accepting for purposes of maintenance Peters Avenue, subject to specified limitations, pursuant to California Streets and Highways Code Section 1806, San Francisco Administrative Code Section 1.52, and Department of Public Works Order No. 173,091. (Public Works Department)

(District 9)
8/27/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

011562 **[Structural Repair of Damaged Buildings]**

Ordinance amending Volume 2, Chapter 16, Section 1605.4.3 of the San Francisco Building Code to clarify that damaged buildings will not have to be brought up to 100 percent compliance with current seismic requirements when repaired. (Building Inspection Department)
8/28/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011567 **[Changing the definition of a truck in the Traffic Code to limit the use of special truck loading zones to bona-fide delivery vehicles]**

Ordinance amending Sections 33.3 and 33.3.2 of the San Francisco Traffic Code, restricting the types of vehicles that may use Truck Loading Zones and Special Truck Loading Zones in parking bays along Market Street between Steuart and Octavia Streets to those with at least six wheels. (Parking and Traffic Department)
8/30/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011608 **[MOU, Amendment No. 3, Locals 250, 535, and 790]**

Ordinance adopting and implementing Amendment No. 3 to the 2000-2003 Collective Bargaining Agreement between the Service Employees International Union, Locals 250, 535 and 790 and the City and County of San Francisco by amending Article III.A by adding paragraphs 204a, 204b and 204c, increasing wages for Classification 8238 (Public Safety Communications Dispatcher) and Classification 8239 (Senior Communications Dispatcher). (Human Resources Department)
9/5/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

011614 **[Settlement of Legal Proceeding]**

Ordinance authorizing settlement of an administrative penalty conditionally imposed by the Department of Public Works on Adesta Communications, Inc. (City Attorney)
9/12/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Confidential letter dated September 12, 2001 is on file with the Clerk of the Board.

PROPOSED RESOLUTIONS

011557 **[Stop Intersections]**
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
10th Avenue and Kirkham Street, northeast and southwest corners, stopping Kirkham Street (makes this an all-way STOP)
Silliman and University Streets, northeast and southwest corners, stopping Silliman Street (makes this an all-way STOP) (Parking and Traffic Department)

(DPT Order No. 2295.)
8/28/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011558 **[Parking Regulations, Various Locations]**
Resolution enacting and rescinding parking regulations at various locations.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Connecticut Street, east side, between 18th and 20th Streets
Mississippi Street, both sides, between 20th and 22nd Streets
Mississippi Street, east side, between Mariposa and 20th Streets
Missouri Street, both sides, between 19th and Mariposa Streets
Missouri Street, east side, between 20th and Sierra Streets
Missouri Street, west side, between 17th and Mariposa Streets
Missouri Street, west side, between 19th and 20th Streets
Pennsylvania Street, both sides, between 19th and 22nd Streets
Pennsylvania Street, west side, between 18th and Mariposa Streets
Texas Street, both sides, between 17th and 19th Streets
Texas Street, east side, between 19th and 20th Streets
Texas Street, east side, from 20th Street to a point 95 feet south of Sierra Street
Texas Street, west side, from 20th Street to a point 65 feet north of Sierra Street

RESIDENTIAL PERMIT PARKING AREA "Q" (ENTIRE AREA) - RESCIND
3rd Street, east side, between Ingerson and Jamestown Avenues (6300 block odd-numbered side)
3rd Street, west side, between Paul and Salinas Avenues (6200 block, even-numbered side)
Carr Street, both sides, between Paul and Salinas Avenues (unit block)
Crane Street, both sides, between Paul and Salinas Avenues (unit block)
Gould Street, both sides, between Paul and Salinas Avenues (unit block)
Paul Avenue, south side, between 3rd and Crane Streets (unit, 100, 200, 300, and 400 blocks)
Salinas Avenue, north side, between 3rd and Exeter Streets (unit, 100, and 200 blocks)

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
19th Street, both sides, between Seward and Yukon Streets (4600 block)
Castro Street, both sides, between 21st and Hill Streets (northern portion of 800 block)

UNMETERED MOTORCYCLE PARKING - ESTABLISH
17th Street, north side, from 43.5 feet to 72 feet east of Folsom Street (28.5-foot zone, accommodating 7 motorcycles, in front of #3084-17th Street) (Parking and Traffic Department)

(DPT Order No. 2295.)
8/28/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011559 **[Traffic Regulations, Various Streets]**

Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURN - RESCIND
NO LEFT TURN, EXCEPT MUNI - ESTABLISH
Market Street, westbound, at Spear Street

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Fulton Street, north side, between 48th Avenue and La Playa
La Playa, west side, from the extension of the north property line of Cabrillo Street to 60 feet southerly (60-foot zone, opposite the stem of the T-intersection)
Monterey Boulevard, south side, between Acadia Street and Circular Avenue
South Van Ness Avenue, west side, from Market Street to 80 feet southerly (80-foot zone, eliminates parking meters #2, #4, and #6)

TOW-AWAY, NO STOPPING, 7 AM - 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
39th Avenue, west side, from Quintara Street to 15 feet southerly (15-foot zone)

RIGHT LANE MUST TURN RIGHT - RESCIND
Brazil Street, westbound, at Mansell Street (Parking and Traffic Department)

(DPT Order No. 2295.)
8/28/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011561 **[IHSS Contract Modification Approval - Addus Healthcare]**

Resolution approving the retroactive modification of the contract between the City and County of San Francisco and Addus Healthcare for the provision of In-Home Supportive Services for the period from July 1, 2001 to January 31, 2002, in the increased amount of $4,182,526, for a total contract amount of $21,379,697. (Human Services Department)

(Fiscal impact.)
(Supervisor Gonzalez dissenting in Committee)
8/29/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

011563 **[SF Public Utilities Commission Program Management Services Contract with the San Francisco Water Alliance]**

Resolution approving the second year renewal (FY 2001-2002) of the Public Utilities Commission Program Management Services Contract with the San Francisco Water Alliance. (Public Utilities Commission)

(Fiscal impact.)
8/29/01, RECEIVED AND ASSIGNED to Finance Committee.

011565 **[Settlement of Claim]**

Resolution approving settlement of the unlitigated claim of the United States Environmental Protection Agency in an amount not to exceed $180,000 for payment of costs of responding to contamination at Casmalia Resources Hazardous Waste Disposal Site. (City Attorney)
8/28/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Department requests this item be calendared at the first Audit Committee meeting in October, 2001.

011600 **[Refugee County Plan, Federal Fiscal Year 2001]**
Resolution approving the San Francisco Federal Fiscal Year 2001 Refugee County Plan. (Private Industry Council)
9/4/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

011606 **[Airport Curbside Management Program Contract]**
Resolution approving the Airport Commission's contract with ShuttlePort/DAJA SFO Joint Venture to manage and staff the Airport Curbside Management Program for one-year and up to four additional one-year options, commencing October 2001. (Airport Commission)

(Fiscal impact.)
9/5/01, RECEIVED AND ASSIGNED to Finance Committee.

011609 **[State funding for California Healthcare for Indigents Program (CHIP) allocation for medical services to indigent persons]**
Supervisors Leno, Peskin

Resolution authorizing the Department of Public Health to accept and expend retroactively a grant allocation for up to $4,826,945 for Fiscal Year 2001-02 funding from the State Department of Health Services for California Healthcare for Indigents Program (CHIP) funds for medical services to indigent persons, professional services, medical services contracts, materials and supplies, facilities rental, personal services, and indirect costs in the amount of $60,541, based on 10.82% of administrative and fiscal intermediary costs. (Public Health Department)
9/5/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Department requests this item be calendared at the September 25, 2001 meeting.

011610 **[Grant, Gang Free Communities Program]**
Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of $24,293 from the office of Juvenile Justice and Delinquency Prevention (OJJDP) for the Gang Free Communities Program that is currently authorized by OJJDP, and up to $150,000 upon receipt of the final award letter from OJJDP. (Mayor)
9/10/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

011611 **[Grant, Job Access and Reverse Commute (JARC) Section 37 Federal Capital Funding Assistance]**
Resolution authorizing the Municipal Transportation Agency Board to accept and expend $229,953 of Federal Job Access and Reverse Commute (JARC) Funds, Section 3037, for the San Francisco International Airport's (SFO) SFO-Southeast San Francisco Transportation Job Link Program, and including $13,016 for Administrative Overhead Costs. (Municipal Transportation Agency)
9/5/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011612 **[Grant, Surface Transportation Program Capital Assistance for MUNI Projects]**
Resolution authorizing the Municipal Transportation Agency Board to accept and expend $53,282,382 of Federal Formula Section 5307 and Surface Transportation Program (STP) Capital Assistance for Municipal Railway Capital Projects and activities and including $1,705,135 for Administrative Overhead Costs. (Municipal Transportation Agency)
9/5/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

Requests Granted

From: Supervisor Yee
To: City Attorney
Requesting/Inquiring: To advise on the legality of legislation that requires employers to post a bond or other security to ensure their workers will receive compensation which they are due.

From: Supervisor Yee
To: City Attorney
Requesting/Inquiring: To draft legislation amending the San Francisco Municipal Code to require that any notice distributed by the Department of Building Inspection and Planning Department in respect to proposed construction issued to residents within a 300 foot radius of the affected site be published in multiple languages, sensitive to the demographics of the neighborhood.

From: Supervisor Yee
To: City Attorney
Requesting/Inquiring: To draft legislation that will create a pilot consumer counseling and educational program to focus on preventing San Francisco residents from entering loans with adverse effects on their income or livelihood. Such a service should:
Provide all information and services in multiple languages. Provide a clear definition of predatory lending and clearly identify the interest rate and fees/points "triggers" or "thresholds" on a high cost loan; enumerate the predatory lending practices in easy-to-understand language contained in selected materials; disseminate public information to San Francisco residents using the following strategies: Mail informative brochures as part of property tax bills, distribute other informative materials such as refrigerator magnets, index cards, etc., with telephone number referrals to local and federal agencies that can be contacted regarding predatory lending practices; utilize local radio stations to help in public service announcements; work with local non-profit organizations and community groups to disseminate information and organize seminars on predatory lending. The consumer service would also provide free or low cost financial counseling to San Francisco residents that would:
Explain to the borrower in plain language the terms of the loan, inform the borrower of his rights when entering a loan, and ensure that the borrower has received all loan documents before the loan is consummated. The counselors will not provide advice or suggestions to the borrower regarding whether or not the loan is in his or her best interests.

From: Supervisor Yee
To: City Attorney
Requesting/Inquiring: To draft legislation that creates a permanent independent San Francisco Public Library Citizens Advisory Committee that will provide the public an opportunity to openly discuss, and recommend to the Board of Supervisors how library bond monies may be allocated, library plans and programs may be instituted, and library operations may efficiently and comprehensively serve the public interest.
The San Francisco Public Library Citizens Advisory Committee shall discuss SFPL policies and procedures, provide suggestions, and regularly report its findings to the Board of Supervisors. The SFPLCAC would meet monthly in a City Hall hearing room (or other neighborhood location) and would be composed of eleven (11) voting members drawn from the neighborhood(s). The eleven "neighborhood" members would be selected (one each) by the members of the Board of Supervisors.

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Raymond Marks (Supervisors Leno, McGoldrick)
Manuel Morales (Supervisor Ammiano)

ADJOURNMENT

There being no further business, the Board at the hour of 4:44 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 29, 2001.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT
FEB 2 6 2002
SAN FRANCISCO
PUBLIC LIBRARY

Monday, September 24, 2001 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Audit, Labor and Government Efficiency Committee Supervisors Newsom, Daly, McGoldrick	2nd & 4th Tuesday 1:00 PM
City and School District Committee Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar	Call of the Chair
Economic Vitality, Small Business and Social Policy Committee Supervisors Sandoval, Newsom, Maxwell	1st & 3rd Tuesday 10:00 AM
Finance Committee Supervisors Leno, Peskin, Gonzalez	Wednesday 10:00 AM
Housing, Transportation and Land Use Committee Supervisors McGoldrick, Daly, Peskin	2nd & 4th Thursday 10:00 AM
Neighborhood Services and Parks Committee Supervisors Yee, Hall, Sandoval	1st & 3rd Tuesday 1:00 PM
Public Health and Environment Committee Supervisors Maxwell, Yee. Leno	2nd & 4th Tuesday 10:00 AM
Public Utilities and Deregulation Committee Supervisors Daly, Gonzalez. Ammiano	Call of the Chair
Rules Committee Supervisors Gonzalez. Hall, Ammiano	1st & 3rd Thursday 1:00 PM

First-named Supervisor/Commissioner is Chair. Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 96 Number 37

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Leland Y. Yee.

Members Absent: Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Maxwell, McGoldrick, Sandoval - 3.

Quorum present.

Supervisor Sandoval was excused. (See infra.)

Supervisor McGoldrick was noted present at 2:01 p.m.

Supervisor Maxwell was noted present at 2:02 p.m.

Supervisor Sandoval Excused from Attendance

Supervisor Leno, seconded by Supervisor Newsom, moved to excuse Supervisor Sandoval from attending this meeting. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

APPROVAL OF MEETING MINUTES

Motion to approve the October 9, and October 15, 2001, Meeting Minutes.

Supervisor Leno, seconded by Supervisor Yee, moved to approve the June 11, June 18, June 25, July 2, July 9, July 16, July 23, July 30, and August 6, 2001 Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Maxwell, Sandoval

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled or considered differently.

There were none.

COMMUNICATIONS

CONSENT AGENDA

Items 1 through 3

Recommendations of the Housing, Transportation and Land Use Committee

011239 **[School Passenger Loading Zones]**
Supervisors McGoldrick, Leno, Maxwell

Ordinance amending San Francisco Traffic Code Section 38.I requiring the designation of white zones at all kindergarten through 12 schools for the loading and unloading of passengers during school hours.

Ordinance No. 203-01
FINALLY PASSED

011240 **[School Bus Loading Zones]**
Supervisors McGoldrick, Leno, Maxwell

Ordinance amending San Francisco Traffic Code Section 33.5 establishing special school bus loading zones at all kindergarten through 12 school sites.

Ordinance No. 204-01
FINALLY PASSED

011271 **[Passenger zones designated as tow-away zones]**
Supervisors McGoldrick, Leno, Maxwell

Ordinance amending San Francisco Traffic Code Section 38.C authorizing the towing away of vehicles parked in designated passenger loading zones.

Ordinance No. 205-01
FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Neighborhood Services and Parks Committee

011179 **[Federal Grant - Improvements at Civic Center-United Nations Plazas/Mid-Market]**

Resolution authorizing the Director of the Department of Public Works (DPW) to accept and expend $936,325 in federal Transportation, Community and System Preservation (TCSP) funds for improvements in Civic Center-United Nations Plazas/Mid-Market. (Public Works Department)

Resolution No. 737-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

Recommendation of the Rules Committee

010840 **[Elections Task Force]**

Ordinance creating the Elections Task Force to redraw Board of Supervisors district lines pursuant to the provisions set forth in Charter Section 13.110(d) following the 2000 federal census; operative date September 10, 2001. (Clerk of the Board)

Ordinance No. 199-01

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

SPECIAL ORDER 3:00 P.M.

011390 **[Public Hearing - Appeal, Conditional Use, 4501 Irving Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No.16182 dated June 28, 2001, approving Conditional Use Application No. 2000.1261EC, under Sections 121.1 and 710.11 to develop a new four-story, mixed-use building, at a maximum height of forty feet, containing approximately 1,800 square feet of commercial office/retail space and eleven off-street parking spaces in the ground floor garage and ten dwelling units on a remaining three upper floors on two lots with a total area exceeding 5,000 square feet, in an NC (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District, on property located at 4501 Irving Street, southwest corner of Irving Street and 46th Avenue; Lots 47 and 49, in Assessor's Block 1801.

Public Comment:

Debra Brackett, appellant;
Jerry Mustack, supports appeal;
Eileen Bokan, supports appeal;
Ralph Edison, supports appeal;
Patricia Simpson, supports appeal;
Eva Goldsmith; supports appeal;
Gerald Green, Director of Planning, Planning Department;
John Sanger, representing project sponsor.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From the Clerk

011391 **[Appeal, Conditional Use, 4501 Irving Street]**

Motion approving decision of the Planning Commission by its Motion No. 16182 approving Conditional Use Application No. 2000.1261EC, on property located 4501 Irving Street, southwest corner of Irving Street and 46th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

TABLED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

011392 **[Appeal, Conditional Use, 4501 Irving Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 16182 approving Conditional Use Application No. 2000.1261EC, on property located 4501 Irving Street, southwest corner of Irving Street and 46th Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

9/24/01 - Amendment of the Whole bearing new title presented by Supervisor Yee, seconded by Supervisor Hall.
AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion disapproving decision of the Planning Commission by its Motion No. 16182 approving Conditional Use Application No. 2000.1261EC, on property located 4501 Irving Street, southwest corner of Irving Street and 46th Avenue, and approving conditional use authorization subject to new conditions. (Clerk of the Board)

Motion No. M01-137

APPROVED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

011393 **[Findings - 4501 Irving Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2000.1261EC, on property located 4501 Irving Street, southwest corner of Irving Street and 46th Avenue, for action by the Board at its next meeting. (Clerk of the Board)

Motion No. M01-138

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

COMMITTEE REPORTS

From Rules Committee

011588 **[City and School District Committee Off-Site Meetings]**
Supervisor Ammiano

Motion ordering the City and School District Committee meeting of the Board of Supervisors to be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on October 24, 2001 at 3:00 P.M., and again on November 14, 2001, and directing the Clerk of the Board to prepare the prior notices and postings.

Motion No. M01-139

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Bob Planthold, problem with Planning Commission regarding ADA requirements;
Bruce Oka, concerns regarding Planning Commission hearing;
Vernon Jenkins, minimum wage;
Amino Fond, supports legislation regarding Hate Crime Reward Fund and September 11th Day of Tolerance,
Richard Robinson, national distress;
male speaker, national distress;
Sal Rambo, San Francisco Giants;
James Chaffee, San Francisco Library Foundation has no agreement with the City;
Winifred John, supports legislation regarding Hate Crime Reward Fund and condemning all discrimination and racism;
Rod Bustiss, fire prevention in SRO hotels.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

011628 **[Legislative Analyst Request]**
Supervisor Peskin

Motion asking the Legislative Analyst to explore governmental reforms that would allow more efficient utilization of street space by construction projects, which has potential to minimize the inconvenience that local residents currently face.

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

CLOSED SESSION

011594 **[Closed Session - Public Employee Performance Evaluation]**

Motion that the Board of Supervisors convene in closed session with Gloria L. Young, for the purpose of evaluating her performance as Clerk of the Board of Supervisors, as permitted by Government Code Section 54957. (Clerk of the Board)

Supervisor Leno, seconded by Supervisor McGoldrick, moved to convene in closed session. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

CONFERENCE WITH CITY ATTORNEY

Motion that the Board of Supervisors convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney, regarding the proposed settlement listed above.

011592 [Closed Session - Department of Elections]
Supervisor Peskin

Motion requesting a closed hearing of the Board of Supervisors on September 24, 2001 in order for the Board to be briefed on the status of ongoing investigations of the Department of Elections.

TABLED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Yee
Absent: 2 - McGoldrick, Sandoval

[Elect To Disclose]
Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 16 through 23

011645 **[Condemning all discrimination and racism]**
Supervisors Ammiano, Leno, Maxwell

Resolution condemning all discrimination and racism directed against Arab Americans, Muslim Americans and people of Middle Eastern descent, and support the use of all legal authority, and release additional resources as necessary, to prevent and respond to discrimination, hate crimes, and harassment in all forms.

Resolution No. 739-01
ADOPTED

011646 **[September 11th Day of Tolerance]**
Supervisors Leno, Maxwell, Newsom, McGoldrick

Resolution declaring that annually September 11th shall be in San Francisco a "Day of Tolerance and Respect for Human Rights."

Resolution No. 740-01
ADOPTED

011647 **[October 2, 2001 Walk to School Day]**
Supervisors Leno, Gonzalez, Maxwell, Newsom, McGoldrick

Resolution designating October 2, 2001 as "Walk to School Day" in San Francisco.

Resolution No. 741-01
ADOPTED

011652 **[Commend - Leaders of SF Communities]**
Supervisors Leno, McGoldrick, Maxwell, Newsom

Resolution commending the leaders of San Francisco communities of faith for their response to the tragic events of September 11, 2001.

Resolution No. 742-01
ADOPTED

011666 **[United Nations Plaza Working Group]**
Supervisor Daly

Motion establishing a 15 member working group on United Nations Plaza.

Motion No. M01-140
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

Severed from for Adoption Without Committee Reference

011644 [Hate Crime Reward Fund]
Supervisor Ammiano

Resolution urging the Mayor to direct the District Attorney's Office to use the "Hate Crime Reward Fund" specifically to target those who perpetrate hate crimes against Arab Americans during this time of national crisis.

Supervisor Ammiano moved to sever so that the item could be considered separately.

9/24/01 - Amended. On lines 3 and 16 replace "District Attorney's Office" with "Police Department".
AMENDED.

Resolution urging the Mayor to direct the Police Department to use the "Hate Crime Reward Fund" specifically to target those who perpetrate hate crimes against Arab Americans during this time of national crisis.

Resolution No. 738-01
ADOPTED AS AMENDED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

011615 [Rejection of Mayor's Appointment]
Supervisor Daly

Motion rejecting the Mayor's appointment of Michael DeNunzio to the Aging and Adult Services Commission.

Supervisor Hall moved to sever so that the item could be considered separately.
TABLED by the following vote:
Ayes: 9 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Noes: 1 - Gonzalez
Absent: 1 - Sandoval

011618 [Rejection of Mayor's Appointment]
Supervisor Daly

Motion rejecting the Mayor's appointment of Victor Makras to the Police Commission.

Supervisor Hall moved to sever so that the item could be considered separately.
TABLED by the following vote:
Ayes: 6 - Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Noes: 4 - Ammiano, Daly, Gonzalez, Peskin
Absent: 1 - Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

011675 [Investigations and Grounds for Administrative Debarment]
Supervisor Peskin

Ordinance amending Administrative Code Chapter 6 to clarify and update requirements for the solicitation of quotes under subsection 6.21(B); to clarify requirements for modifications to construction contracts under subsection 6.22(H); to add a nonabrogation clause to subsection 6.22(M); to correct the statutory references in section 6.40; to add a nonabrogation clause to subsection 6.42(E); to add a new section 6.8 severability clause; to add a new subsection 6.42(F), requiring that modifications for professional service contracts be in writing; to add an investigation requirement for violations of Chapter 6; and to extend the grounds upon which the City and County may determine a contractor to be nonresponsible to civil or criminal violations against any government entity relevant to the contractor's ability to comply with or perform under the terms and conditions of its contract with the City and County.

9/24/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/24/2001.

011114 **[Zoning Map Amendment, 525 Golden Gate]**
Supervisor Ammiano

Ordinance amending Zoning Map Sheet 2H of the City and County of San Francisco for property located at 525 Golden Gate Avenue, Lot 1 in Assessor's Block 766, to change the height district classification from 130E to 200L; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the eight Priority Policies of Planning Code Section 101.1.

(Planning Commission Resolution #16213 adopting General Plan amendment findings dated 8/23/01; Planning Commission Resolution #16214 adopted 8/23/01 recommending the proposed amendment; Planning Commission Resolution #16215 adopted 8/23/01 amending the Urban Design Element of the General Plan; Planning Commission Resolution #16216 adopting findings that the shadow impact will be insignificant.)
(9/24/01 in Board: Supervisor Ammiano submitted a substitute ordinance bearing same title)
(Supervisor Daly dissenting in Committee.)

6/11/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 7/11/2001. 6/15/01 - Transmitted to Planning Commission for public hearing and recommendation.

9/24/01, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing same title.

9/24/01, ASSIGNED to Housing, Transportation and Land Use Committee.

011115 **[General Plan Amendment, 525 Golden Gate]**
Supervisor Ammiano

Ordinance amending the San Francisco General Plan in connection with approval of a City Administrative Building; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the eight Priority Policies of Planning Code Section 101.1.

(Planning Commission Resolution #16212 adopting findings pursuant to CEQA dated 8/23/01; Planning Commission Resolution #16213 adopting General Plan amendment findings dated 8/23/01; Planning Commission Resolution #16214 adopted 8/23/01 recommending the proposed amendment; Planning Commission Resolution #16215 adopted 8/23/01 amending the Urban Design Element of the General Plan; Planning Commission Resolution #16216 adopting findings that the shadow impact will be insignificant.)
(9/24/01 in Board: Supervisor Ammiano submitted a substitute ordinance bearing same title.)
(Supervisor Daly dissenting in Committee.)

6/11/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 7/11/2001. 6/15/01 - Transmitted to Planning Commission for public hearing and recommendation.

9/24/01, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing same title.

9/24/01, ASSIGNED to Housing, Transportation and Land Use Committee.

011116 [CEQA Findings, 525 Golden Gate]
Supervisor Ammiano

Resolution affirming certification of the Final Environmental Impact Report and adopting environmental findings pursuant to the California Environmental Quality Act and State Guidelines in connection with adoption of General Plan Amendment, Zoning Map Amendment and other actions to approve development and construction of City Administrative Building located at 525 Golden Gate Avenue.

(Planning Commission Resolution #16092 adopting findings certifying FEIR dated 2/15/01; Received FEIR dated 2/15/01; Planning Commission Resolution #16212 adopting findings pursuant to CEQA dated 8/23/01.)
(9/24/01 in Board: Supervisor Ammiano submitted a substitute resolution bearing same title.)
(Supervisor Daly dissenting in Committee.)

6/11/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 7/11/2001.

9/24/01, SUBSTITUTED. Supervisor Ammiano submitted a substitute resolution bearing same title

9/24/01, ASSIGNED to Housing, Transportation and Land Use Committee.

011677 [Justin Herman Plaza]
Supervisor Daly

Ordinance removing the plaque designating the name Justin Herman from the Plaza located at Market Street and the Embarcadero and directing the Recreation and Park Commission to designate a new name.
9/24/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011678 [Appropriation, Ethics Commission]
Supervisor Leno

Ordinance re-appropriating $38,346 of General Fund Proposition O funding for one position to perform investigations by the Ethics Commission for Fiscal Year 2001-2002, and amending Annual Salary Ordinance for Fiscal Year 2001-02.

(Companion measure to File 011679.)
9/24/01, RECEIVED AND ASSIGNED to Finance Committee. Schedule for October 24, 2001, meeting.

011679 [Amending Annual Salary Ordinance 2001-02, Ethics Commission]
Supervisors Leno, Daly

Ordinance amending Ordinance No. 171-01 (Annual Salary Ordinance 2001/02) reflecting the creation of one position at the Ethics Commission.
9/24/01, RECEIVED AND ASSIGNED to Finance Committee. Schedule for October 24, 2001, meeting.

Resolutions

011680 [Continuum of Care Plan]
Supervisor Gonzalez

Resolution amending the Continuum of Care Plan to provide that the Board of Supervisors shall appoint a representative of the veteran's advocacy community and shall appoint all neighborhood/community representatives to the Local Homeless Coordinating Board.
9/24/01, RECEIVED AND ASSIGNED to Rules Committee.

011681 ["No U-Turn" Restriction at Locust/Sacramento Streets]
Supervisor Newsom

Resolution establishing a "No U-Turn" restriction at the intersection of Locust and Sacramento Streets.
9/24/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011682 [Mid-Year Budget Reduction Plan]
Supervisor Newsom

Resolution urging the Mayor's Office to direct all City Departments to submit a mid-year Budget Reduction Plan. Reductions would total 3, 5, and 10% of all baseline 2001-2002 General Fund expenditures, with a separate plan for each level of reduction. Potential reductions should be listed in order of ascending relative priority with the lowest funding priority highlighted first. All plans would be submitted by November 15, 2001, including implementation plans and schedules.
9/24/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

011683 [Changing Economic Conditions]
Supervisor Newsom

Resolution calling on the Mayor to establish a Special Issue Cabinet focused on the Hospitality and Tourism industry made up of members of both the private and public sector to identify initiatives to sustain the Hospitality and Tourism industry and related tax revenues. Further urging the Mayor to establish an Initiative Compliance Committee made up of senior City managers to promote the identification and adoption of cost-saving, revenue generating, and service enhancing goals for government of the City and County of San Francisco. Finally, urging the Mayor to investigate a hiring freeze to stabilize a balanced budget in the short term, and establishing a five year budget and economic development plan to ensure a balanced budget in the long term.

(10/9/01, Supervisor Newsom dissenting in committee.)
9/24/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

011684 [Grant, Department of Public Health]
Supervisors Ammiano, Peskin

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into a contract agreement in the amount of $180,000 with the State Department of Health Services (SDHS) to provide outreach to increase the enrollment of children in the Healthy Families and Medi-Cal for Children programs; for the period of July 1, 2001 to December 31, 2001.
9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011685 **[Draft Compact for a Sustainable Bay Area]**
Supervisors Daly, Peskin

Resolution endorsing regional planning and the spirit of the Draft Compact for a Sustainable Bay Area.
9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011686 **[Elections Task Force use the principle of "maximum continuity"]**
Supervisors Gonzalez, Maxwell

Resolution urging the Elections Task Force use the principle of "maximum continuity" in redrawing supervisorial districts.
9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011687 **[Amendment to Ellis Act]**
Supervisor Hall

Resolution urging the State Legislature to amend the Ellis Act to create an exception for our country's military service men and women.
9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011688 **[Equitable Electricity Rates]**
Supervisors Leno, Peskin

Resolution urging the California Public Utilities Commission (PUC) to devise a rate structure that treats homeowner associations and other residents in multi-unit dwellings equitably with other consumers of power.
9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011689 **[Extend Time for Planning Commission Decision to Create Glen Park SUD]**
Supervisor Leno

Resolution extending the prescribed time within which the Planning Commission may render its decision on proposed ordinances to amend the Planning Code to create the Glen Park Special Use District.
9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011690 **[Proclamation]**
Supervisor Newsom

Resolution declaring September 2001 as "National Alcohol and Drug Addiction Recovery Month" in the City and County of San Francisco.
9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011691 [Dr. Jorge Bocobo Philippine-American Cultural Center]
Supervisor Newsom

Resolution supporting the re-opening of the newly established Dr. Jorge Bocobo Philippine-American Cultural Center, the main project of the Foundation and the Filipino Artists, Writers, Performers, which is currently located at the Filipino Education Center.
9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011692 [Commending Coalition for Ethical Welfare Reform]
Supervisor Daly

Resolution commending the Coalition for Ethical Welfare Reform.
9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011693 [Commending Michael Guest]
Supervisor Leno

Resolution commending gay Foreign Service Officer Michael Guest on his appointment and confirmation as U.S. Ambassador to Romania.
9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011694 [Commending Marquez Helton]
Supervisors Maxwell, Newsom

Resolution commending fourteen year old Marquez Helton for his selfless and heroic act on Saturday September 22, 2001.
9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011695 [Commending Department of Children, Youth and Their Families]
Supervisor Newsom

Resolution commending the Department of Children, Youth and Their Families (DCYF) for inspiring the voices of our youth to create Youth IMPACT by funding the first comprehensive youth-led evaluation of DCYF-funded organizations.
9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

011696 [Lee Mah Electronics]
Supervisor Ammiano

Hearing to consider the closure of Lee Mah Electronics and to hear testimony from Lee Mah workers who were laid off.
9/24/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

011697 [Castro Area Interim Pedestrian Safety Plan]
Supervisor Leno

Hearing to consider the Castro Area Planning and Action interim pedestrian safety plan for Harvey Milk Plaza at 17th and Castro Streets.
9/24/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011698 [First Quarter Revenue Figures]
Supervisors Leno, Maxwell

Hearing asking the Controller to brief the Finance Committee on first quarter revenue figures and to consider the impact of our slowing economy and the events of September 11th on our local economy.
9/24/01, RECEIVED AND ASSIGNED to Finance Committee. Sponsors request this item be considered at the October 3, 2001 meeting.

011699 [Expanding Aim High Facilities]
Supervisor Maxwell

Hearing on the possibilities of expanding Aim High Facilities in SFUSD schools and requesting that the following questions to be discussed: (1) Can the SFUSD restore the 1998 level of funding to Aim High so that they can restore and expand facilities into SFUSD schools; (2) How can the Board of Supervisors help to facilitate the process of expanding Aim High to other SFUSD schools.
9/24/01, RECEIVED AND ASSIGNED to City and School District Committee. Sponsor requests this item be considered at the October 24, 2001 meeting.

011700 [Revised Budget Projects]
Supervisor Maxwell

Hearing on the revised budget projections based upon a possible national and local economic slowdown; requesting the Controller to present the fullest extent possible, revised projections for local taxes and revenues, including the hotel tax, sales tax, business tax, parking taxes and airport revenues.
9/24/01, RECEIVED AND ASSIGNED to Finance Committee.

011701 [Performance of Office of Emergency Services]
Supervisors Newsom, Maxwell

Hearing on the performance of the Office of Emergency Services, the Fire Department's Neighborhood Emergency Response Team (NERT), the Department of Public Works, the Department of Public Health, and the Municipal Transportation Authority and other relevant City departments to the recent events in New York and Washington D.C.
9/24/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

011703 [Controller's Audit - Department of Building Inspection]
Supervisor Daly

Hearing to consider the Controller's Audit of the Department of Building Inspection, and policy changes at the Department.
9/24/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Sponsor requests this item be considered at the October 9, 2001 meeting.

Motions

011676 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011704 [Legislative Analyst Request]
Supervisors Hall, Newsom

Motion asking the Legislative Analyst to (1) compare and contrast Seattle's "civility laws" to San Francisco's quality of life laws; (2) compare and contrast the budgets of San Francisco's and Seattle's Police Department and District Attorney's Offices; in particular, what total amount and what percentage of each budget is allocated to the enforcement and prosecution of these laws.
9/24/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration October 1, 2001 meeting

011705 [Legislative Analyst Request]
Supervisor Leno

Motion asking the Legislative Analyst to research on the following in order of priority: (1) Assess the cost of additional steam cleaning of sidewalks for the Castro area; (2) Assess the cost of additional street cleaning for the Castro Area; (3) Assess the cost of additional graffiti removal for the Castro Area; (4) Analyze reporting process by special patrols to the Police Department to consider possibility of clerical workers completing paper work to allow patrols to be on the street rather than filling out paper work. Special Patrol officers have reported a great deal of their time is spent filling out paper work that they believe could be done by clerical workers; (5) Assess the cost of providing additional special patrols for the Castro Area; (6) Assess the cost of providing Health Department crisis intervention outreach workers to the Castro Area; and (7) Assess the cost of providing additional lighting for Harvey Milk Plaza.
9/24/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration October 1, 2001.

Introduced by the President at the Request of Departments

-

PROPOSED ORDINANCES

011619 **[MOU Amendment No. 1, Automotive Machinists Local 1414]**

Ordinance adopting and implementing Amendment No. 1 to the 2000-2003 Collective Bargaining Agreement between the Automotive Machinists, Local 1414 and the City and County of San Francisco by amending Article III.C., part 6, correcting a clerical error by deleting the Standby Pay provision. (Human Resources Department)

9/19/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

011670 **[Settlement Of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Desiree Hamaoui against the City and County of San Francisco for $60,000; the lawsuit was filed on September 20, 2000, in San Francisco Superior Court, Case No. 315-230; entitled Desiree Hamaoui v. City and County of San Francisco, et al. (City Attorney)

9/19/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Confidential letter dated August 3, 2001 is on file with the Clerk of the Board.

PROPOSED RESOLUTIONS

011566 **[Sewer Emergency]**

Resolution approving the expenditure of funds in the amount of $272,846 to construct a new sewer on Tennessee Street from Cesar Chavez Street to midway toward 26th Street and on Cesar Chavez Street from 3rd Street to Tennessee Street. (Public Utilities Commission)

(Fiscal impact.)

9/13/01, RECEIVED AND ASSIGNED to Finance Committee.

011664 **[Acquisition - Noise Easements]**

Resolution authorizing the acquisition of seventy (70) noise easements for sixty nine (69) properties in South San Francisco and one (1) in the unincorporated area of the County of San Mateo as part of the San Francisco Airport's Noise Insulation Program. (Real Estate Department)

9/18/01, RECEIVED AND ASSIGNED to Finance Committee.

011668 **[Contingent Fee Agreement in Qui Tam Case re Substandard Waterworks Parts]**
Supervisor Leno

Resolution approving Contingency Fee Agreement in California ex rel. Nora Armenta v. James Jones Co., et al. (Los Angeles Superior Court No. BC 173487). (City Attorney)

9/19/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Confidential letter dated September 18, 2001 is on file with the Clerk of the Board.

011669 **[Public Utilities Commission Land Exchange]**

Resolution approving an exchange of pipeline easement land with Hayward-Oliver Owners, LLC related to property located in the City of Hayward, County of Alameda, State of California, and authorizing the quitclaim of the interest of the City and County of San Francisco in a strip of land 20 feet wide located along the westerly side of an existing easement area, in exchange for a grant of easement rights in a similar strip of land 20 feet wide located along the easterly side of the existing easement area plus certain additional surface use rights to City, and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

9/19/01, RECEIVED AND ASSIGNED to Finance Committee.

011671 **[Agreement - Informatix, Inc. and CCSF to implement the Computer Assisted Support Enforcement System (CASES) Consortium for 34 California counties including San Francisco]**

Resolution approving the Agreement between Informatix, Inc. and City, dated May 3, 2000, for computer consulting services necessary to implement the CASES Consortium. (Child Support Services)

(Fiscal impact.)

9/19/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

Requests Granted

From: Supervisor Ammiano
To: Mayor
To: Director, Mayor's Office of Homeless
To: Director, Department of Public Health
To: Director, Department of Human Services
To: Director, Local Homeless Coordinating Board
Requesting/Inquiring: That the Mayor and the Directors of the Mayor's Office of Homeless, Department of Public Health, Department of Human Services and Local Homeless Coordinating Board comment on the formation of a Department of Homelessness to coordinate City services to homeless individuals.

From: Supervisor Hall
To: City Attorney
Requesting/Inquiring: To amend Administrative Code Section 37.9(a)(8)(i) to create an exception that allows the landlord of property using the property for his or her principal residence for 36 months to not have to reside in the property if the landlord has been called to military service during the 36 month period.

From: Supervisor Leno
To: Director, Department of Parking and Traffic
To: Director, War Memorial Board
Requesting/Inquiring: That the Director of the Department of Parking and Traffic and the Director of the War Memorial Board report on what actions they plan to take to step up security in Civic Center Garage after two patrons of the garage were physically assaulted on August 17, 2001. The men were assaulted and robbed within an elevator and filed a report (#010984529). Lighting of the garage entrance and the amount of security monitoring the garage are two areas that appear to need improvement.

From: Supervisor Maxwell
To: Director, Airport
Requesting/Inquiring: To report on measures taken to increase airport security after the September 11, 2001 terrorist attacks.
Due: October 24, 2001

From: Supervisor Maxwell
To: Sheriff
Requesting/Inquiring: To report on measures taken to increase City Hall security after the September 11, 2001 terrorist attacks.
Due: October 24, 2001

From: Supervisor McGoldrick
To: President, Planning Commission
Requesting/Inquiring: To report how changing the Public Comment period (October 12, 2000) from the beginning of the Planning Commission agenda to the end has affected public comment itself. Specifically:
1. What time the Public Comment period tends to occur?
2. How many members of the public take the opportunity to speak under the new rules?
3. Whether this is an increase or decrease from the number who commented under the previous rules?
4. And whether a broad cross-section of the community currently has taken the opportunity to make a public comment under the new rules?

From: Supervisor Newsom
To: Chief, Police Department
Requesting/Inquiring: To report on the decision by the Police Department to eliminate the Child Car Seat Safety Inspection Program.
1. What, if any, public outreach was conducted informing the public of this program being eliminated?

2. What, if any, are the Police Department's plans to implement this program in the future?
3. What referrals are in place to members of the public who regularly access this program?
4. What other partnerships exist to continue providing free child car seat safety inspections to members of the public?

From: Supervisor Peskin
To: Director, Port
Requesting/Inquiring: To report on all month-to-month commercial leases that the Port currently manages and requesting a list of these leases, which would include basic information on each lease, at the Port's earliest convenience.

From: Supervisor Peskin
To: Director, Airport
Requesting/Inquiring: To report on the overall retention rates of entry-level security personnel at SFO, and any comparison between the retention rates of security personnel at SFO and other comparable airports throughout the United States.

From: Supervisor Peskin
To: Chief, Fire Department
Requesting/Inquiring: To report if any surplus Departmental equipment is available that could be lent to Fire Departments on the East Coast responding to the collapse of the World Trade Center. If surplus equipment is determined to be available, Supervisor Peskin requests that the Chief contact his peers from relevant Departments on the East Coast to offer the use of this equipment.

From: Supervisor Yee
To: Mayor
To: Controller
To: Budget Analyst
Requesting/Inquiring: That the Mayor's Office, Controller and Budget Analyst submit a Joint committee report within two weeks describing how the current national economic downturn, the decreasing local 'dot.com' industry and the events of September 11, 2001 could impact the revenue streams to the City and County of San Francisco. The report should address how the City can support businesses through possible temporary tax relief, possible temporary reduction of City expenditures, and pay particular attention to the impacts of the 'hospitality' industry.

From: Supervisor Leno
To: All Department Heads
Requesting/Inquiring: Does your Department place Type 1 Advertisements? If yes, what type of advertisements?
Description of Type 1 Advertisements
Type 1 Advertisements for Two or More Consecutive Days: Official advertising which must be published on two or more consecutive days, and all official advertising which is required to be published in accordance with Section 2.103 of the Charter for special meetings of the Board of Supervisors and its standing or special committees. The official newspaper must publish at least 5 days a week for Type 1 official advertising.
Due: October 10, 2001

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Balbir Sing Sohi (Supervisor Daly)
Isaac Stern (Supervisors Leno, McGoldrick, Maxwell)
Marchelle Nevels (Supervisor Maxwell)
Ivan Nevels (Supervisor Maxwell)
Shamika Smith (Supervisor Maxwell)
Doshjwavn Smith (Supervisor Maxwell)

ADJOURNMENT

There being no further business, the Board at the hour of 4:45 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 29, 2001.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

***City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689***

MEETING MINUTES

DOCUMENTS DEPT.
FEB 26 2002
SAN FRANCISCO
PUBLIC LIBRARY

Monday, October 1, 2001 2:00 PM

**Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689**

Regular Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Audit, Labor and Government Efficiency Committee Supervisors Newsom, Daly, McGoldrick	2nd & 4th Tuesday 1:00 PM
City and School District Committee Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar	Call of the Chair
Economic Vitality, Small Business and Social Policy Committee Supervisors Sandoval, Newsom, Maxwell	1st & 3rd Tuesday 10:00 AM
Finance Committee Supervisors Leno, Peskin, Gonzalez	Wednesday 10:00 AM
Housing, Transportation and Land Use Committee Supervisors McGoldrick, Daly, Peskin	2nd & 4th Thursday 10:00 AM
Neighborhood Services and Parks Committee Supervisors Yee, Hall, Sandoval	1st & 3rd Tuesday 1:00 PM
Public Health and Environment Committee Supervisors Maxwell, Yee, Leno	2nd & 4th Tuesday 10:00 AM
Public Utilities and Deregulation Committee Supervisors Daly, Gonzalez, Ammiano	Call of the Chair
Rules Committee Supervisors Gonzalez, Hall, Ammiano	1st & 3rd Thursday 1:00 PM

First-named Supervisor/Commissioner is Chair. Second-named Supervisor/Commissioner is Vice-Chair. of the Committee

Volume 96 Number 38

Members Present: Tom Ammiano, Matt Gonzalez, Tony Hall, Mark Leno, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

Members Absent: Chris Daly, Sophie Maxwell.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Daly, Maxwell, Sandoval, Yee - 4.

Quorum present.

Supervisors Daly and Maxwell were excused. (See infra.)

Supervisor Sandoval was noted present at 2:01 p.m.

Supervisor Yee was noted present at 2:05 p.m.

Supervisor Daly Excused from Attendance

Supervisor Leno, seconded by Supervisor Sandoval, moved to excuse Supervisor Daly from attending this meeting. The motion carried by the following vote:

Ayes: 8 - Ammiano, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval
Absent: 3 - Daly, Maxwell, Yee

Supervisor Maxwell Excused from Attendance

Supervisor Peskin, seconded by Supervisor Sandoval, moved to excuse Supervisor Maxwell from attending this meeting. The motion carried by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 2 - Daly, Maxwell

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled or considered differently.

Clerk of the Board, Gloria L. Young stated that File 011604 should be severed from the Consent Agenda (see infra).

COMMUNICATIONS

APPROVAL OF MEETING MINUTES

Motion to approve the October 9, and October 15, 2001, Meeting Minutes.

Supervisor Leno, seconded by Supervisor Peskin, moved to approve the August 13, 2001 Meeting Minutes. The motion carried by the following vote:

Ayes: 8 - Ammiano, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval
Absent: 3 - Daly, Maxwell, Yee

Introduction of Guest

President Ammiano introduced and welcomed Mosco Arties, Mayor from El Salvador.

CONSENT AGENDA

Items 1 through 5

Recommendation of the Finance Committee

011394 **[Airport Information Booth Contract, Fiscal Year 2001-2002]**

Resolution approving the Controller's Certification that Airport Information Booth Services at San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by City employees at currently budgeted levels. (Airport Commission)

Resolution No. 744-01
ADOPTED

Recommendation of the Public Health and Environment Committee

011609 **[State funding for California Healthcare for Indigents Program (CHIP) allocation for medical services to indigent persons]**
Supervisors Leno, Peskin

Resolution authorizing the Department of Public Health to accept and expend retroactively a grant allocation for up to $4,826,945 for Fiscal Year 2001-02 funding from the State Department of Health Services for California Healthcare for Indigents Program (CHIP) funds for medical services to indigent persons, professional services, medical services contracts, materials and supplies, facilities rental, personal services, and indirect costs in the amount of $60,541, based on 10.82% of administrative and fiscal intermediary costs. (Public Health Department)

Resolution No. 750-01
ADOPTED

Recommendations of the Rules Committee

010261 **[Appointment]**
Resolution appointing Peter Fatooh and Ronald Chun, terms ending September 6, 2004, to the Assessment Appeals Board No. 1.

Peter Fatooh, succeeding himself, seat 1, term expired, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for a new three-year term expiring September 6, 2004;
Ronald Chun, succeeding himself, seat 4, term expired, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for a new three-year term expiring September 6, 2004.

Resolution No. 743-01
ADOPTED

011625 **[Appointment]**
Resolution appointing Lawrence Lee, Mervin Conlan, and Donald Schmidt, terms ending September 6, 2004, to the Assessment Appeals Board No. 2.

Lawrence Lee, succeeding himself, seat 2, term expired, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for a new three-year term expiring September 6, 2004;
Mervin Conlan, succeeding Irma Ramirez-Tom, term expired, seat 3, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for a new three-year term expiring September 6, 2004;
Donald Schmidt, succeeding himself, seat 4, term expired, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for a new three-year term expiring September 6, 2004.

Resolution No. 751-01
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 8 - Ammiano, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval
Absent: 3 - Daly, Maxwell, Yee

Severed from the Consent Agenda

011604 **[Appointment]**

Resolution appointing Elizabeth Aguilar-Tarchi, term ending October 1, 2003, and Duru Earnest Chidi, Nick Roomel, Cedric Akbar, and Vanessa Padilla, terms ending October 1, 2004, to the Drug Abuse Advisory Board, residency requirement waived.

Elizabeth Aguilar-Tarchi, succeeding Vernon Grigg, seat 1, must represent law enforcement, for the unexpired portion of a three-year term ending October 1, 2003;
Duru Earnest Chidi, succeeding Leon Winston, term expired, seat 3, must represent the public at large, for a new three-year term ending October 1, 2004;
Nick Roomel, succeeding Mary Louise Adlo-Robi, term expired, seat 8, must represent the public at large, for a new three-year term ending October 1, 2004;
Cedric Akbar, succeeding himself, term expired, seat 10, must represent the public at large or a service provider, for a new three-year term ending October 1, 2004;
Vanessa Padilla (residency requirement waived), succeeding herself, term expired, seat 11, must represent the public at large, for a new three-year term ending October 1, 2004.

10/01/01 - Amended. Supervisor Leno, seconded by Supervisor McGoldrick moved to amend on Page 1, line 3, delete "Duru Earnest Chidi". On Page 1, line 13, delete "Duru Earnest Chidi, succeeding Leon Winston, term expired, seat 3, must represent the public at large, for a new three-year term ending October 1, 2004."
AMENDED.

Resolution appointing Elizabeth Aguilar-Tarchi, term ending October 1, 2003, and Nick Roomel, Cedric Akbar, and Vanessa Padilla, terms ending October 1, 2004, to the Drug Abuse Advisory Board, residency requirement waived.

Elizabeth Aguilar-Tarchi, succeeding Vernon Grigg, seat 1, must represent law enforcement, for the unexpired portion of a three-year term ending October 1, 2003;
Nick Roomel, succeeding Mary Louise Adlo-Robi, term expired, seat 8, must represent the public at large, for a new three-year term ending October 1, 2004;
Cedric Akbar, succeeding himself, term expired, seat 10, must represent the public at large or a service provider, for a new three-year term ending October 1, 2004;
Vanessa Padilla (residency requirement waived), succeeding herself, term expired, seat 11, must represent the public at large, for a new three-year term ending October 1, 2004.

Resolution No. 749-01
ADOPTED AS AMENDED by the following vote:
Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 2 - Daly, Maxwell

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

011702 **[Adopting findings related to the conditional use appeal on property located at 4501 Irving Street]**

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2000.1261EC (which authorized, subject to certain conditions, the development of a new four-story, mixed use building, at a maximum height of forty feet, containing approximately 1,800 square feet of commercial office/retail space and eleven off-street parking spaces in the ground floor garage, and ten dwelling units on the remaining three upper floors, on two lots with a total area exceeding 5,000 square feet) in an NC (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District, on property located at 4501 Irving Street, southwest corner of Irving Street and 46th Avenue (Lots 47 and 49, in Assessor's Block 1801). (Clerk of the Board)

(Companion measure to Files 011390, 011391, 011392, 011393.)

10/01/01 - Supervisor Yee, seconded by Supervisor Peskin moved an amendment of the whole.
AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/01/01 - Supervisor Yee moved to amend on Page 3, line 22 after "by" insert "primary".
10/01/01 - Supervisor Peskin moved to amend by deleting on Page 2, line 22, "Further Moved, That the Board of Supervisors finds that it appears that the project developer intends to develop the housing units on the site as ownership units. The development of these units as ownership units is subject to the laws of the City and County of San Francisco and the State of California with regard to subdivisions."
AMENDED.

Motion No. M01-143
APPROVED AS AMENDED by the following vote:
Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 2 - Daly, Maxwell

NEW BUSINESS

Recommendations of the Audit, Labor and Government Efficiency Committee

011167 **[MTBE Purchase Ban]**
Supervisors Newsom, Daly, McGoldrick

Ordinance amending San Francisco Administrative Code by adding Chapter 12S prohibiting the bulk purchase of gasoline and/or other motor vehicle fuel containing MTBE by City Departments, effective February 1, 2002.

(Fiscal impact.)

10/01/01 - Supervisor Newsom, seconded by Supervisor McGoldrick moved to amend on Page 1, line 5, by replacing "February" with "January". On Page 1, line 21, delete "such as ethanol". On Page 4, line 18, delete "with a right to review and reconsideration by the Purchaser after two years upon a showing of corrective action indicating violations are not likely to reoccur." On Page 5, line 6, replace "February" with "January".
AMENDED.

Ordinance amending San Francisco Administrative Code by adding Chapter 12S prohibiting the bulk purchase of gasoline and/or other motor vehicle fuel containing MTBE by City Departments, effective January 1, 2002.

(Fiscal impact.)

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 2 - Daly, Maxwell

011608 **[MOU, Amendment No. 3, Locals 250, 535, and 790]**

Ordinance adopting and implementing Amendment No. 3 to the 2000-2003 Collective Bargaining Agreement between the Service Employees International Union, Locals 250, 535 and 790 and the City and County of San Francisco by amending Article III.A by adding paragraphs 204a, 204b and 204c, increasing wages for Classification 8238 (Public Safety Communications Dispatcher) and Classification 8239 (Senior Police Communications Dispatcher). (Human Resources Department)

(Fiscal impact.)

PASSED, ON FIRST READING by the following vote:
Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 2 - Daly, Maxwell

Recommendations of the Finance Committee

011444 **[Outreach Advertising]**

Resolution designating El Mensajero, El Latino and El Reportero to be outreach newspapers of the City and County of San Francisco for the Hispanic/Latino community; designating the China Press, the Chinese Times and AsianWeek to be outreach newspapers of the City and County of San Francisco for the Chinese community; designating the San Francisco Bay View to be outreach newspaper of the City and County of San Francisco for the African American community; designating San Francisco Spectrum, the Bay Area Reporter and San Francisco Bay Times to be outreach newspapers of the City and County of San Francisco for the Gay/Lesbian/Bisexual/Transgender community; designating MO Magazine to be outreach newspaper of the City and County of San Francisco for the Southeast Asian community; designating Russian Life to be outreach newspaper of the City and County of San Francisco for the Russian community; designating Hokubei Mainichi to be outreach newspaper of the City and County of San Francisco for the Japanese community, for the fiscal year ending June 30, 2002. (Purchaser)

(Supervisor Gonzalez dissenting in Committee.)

Resolution No. 745-01

ADOPTED by the following vote:
Ayes: 7 - Ammiano, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Gonzalez, Hall
Absent: 2 - Daly, Maxwell

011445 **[Approval of Amendment(s) to Design Agreement for the Moscone Center Expansion Project]**

Resolution authorizing the Director of Administrative Services to execute amendment(s) to design agreement, increasing the amendment sum from $14,026,326.38 to $14,696,326.38. (Administrative Services Department)

(Fiscal impact.)

Resolution No. 746-01

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 2 - Daly, Maxwell

011525 **[Appropriation Limit for Fiscal Year 2001-02]**

Resolution establishing the appropriations limit for fiscal year 2001-02 pursuant to California Constitution Article XIII B. (Controller)

(Fiscal impact.)

Resolution No. 747-01

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 2 - Daly, Maxwell

011579 **[Department of Environment Lease]**
Supervisor Ammiano

Resolution authorizing the expansion of leased space at 11 Grove Street for the Department of the Environment and accepting donations of materials and services.

(District 6.)

Resolution No. 748-01

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 2 - Daly, Maxwell

Recommendations of the Rules Committee

010940 **[Internet Filtering]**
Supervisor Leno

Ordinance amending the San Francisco Administrative Code by adding Chapter 22C to prohibit the use of Internet filtering or content blocking technology ("filtering software") on City-owned computers used as public Internet access terminals.

(Supervisor Hall dissenting in Committee.)

10/01/01 - Supervisor Leno, seconded by Supervisor Gonzalez moved an amendment of the whole.
AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 2 - Daly, Maxwell

011607 **[Records Retention and Destruction Schedule]**

Motion approving the Board of Supervisors revised Records Retention Schedule and Records Retention and Destruction Policy retroactive to July 1, 2001 and authorizing the Clerk of the Board to adjust the schedule to increase retention periods and requiring Board approval for additions and/or reduction in retention periods. (Clerk of the Board)

Motion No. M01-141

APPROVED by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 2 - Daly, Maxwell

COMMITTEE REPORTS

PUBLIC COMMENT

Abdalla Megahed, supports homelessness;
Vernon Jenkins, need to clean up South of Market area;
James Chaffee, San Francisco Public Library;
Sheri Jung, Falun Gong supporter;
male speaker, Falun Gong supporter;
Gene Sargeriss, Falun Gong supporter;
John Bardis, budget process - freeze new positions;
Chris Bowman, Elections Task Force Ordinance;
Charlie Marsh, ballot argument reform.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

011704 **[Legislative Analyst Request]**
Supervisors Hall, Newsom

Motion asking the Legislative Analyst to (1) compare and contrast Seattle's "civility laws" to San Francisco's quality of life laws; (2) compare and contrast the budgets of San Francisco's and Seattle's Police Department and District Attorney's Offices; in particular, what total amount and what percentage of each budget is allocated to the enforcement and prosecution of these laws.

APPROVED by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 2 - Daly, Maxwell

011705 **[Legislative Analyst Request]**
Supervisor Leno

Motion asking the Legislative Analyst to research on the following in order of priority: (1) Assess the cost of additional steam cleaning of sidewalks for the Castro area; (2) Assess the cost of additional street cleaning for the Castro Area; (3) Assess the cost of additional graffiti removal for the Castro Area; (4) Analyze reporting process by special patrols to the Police Department to consider possibility of clerical workers completing paper work to allow patrols to be on the street rather than filling out paper work. Special Patrol officers have reported a great deal of their time is spent filling out paper work that they believe could be done by clerical workers; (5) Assess the cost of providing additional special patrols for the Castro Area; (6) Assess the cost of providing Health Department crisis intervention outreach workers to the Castro Area; and (7) Assess the cost of providing additional lighting for Harvey Milk Plaza.

Supervisor Leno, seconded by Supervisor Newsom moved to continue to October 9, 2001.

CONTINUED by the following vote:

Ayes: 6 - Ammiano, Leno, McGoldrick, Newsom, Sandoval, Yee
Noes: 3 - Gonzalez, Hall, Peskin
Absent: 2 - Daly, Maxwell

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 21 through 38

011684 **[Grant, Department of Public Health]**
Supervisors Ammiano, Peskin

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into a contract agreement in the amount of $180,000 with the State Department of Health Services (SDHS) to provide outreach to increase the enrollment of children in the Healthy Families and Medi-Cal for Children programs; for the period of July 1, 2001 to December 31, 2001.

Resolution No. 736-01
ADOPTED

011685 **[Draft Compact for a Sustainable Bay Area]**
Supervisors Daly, Peskin

Resolution endorsing regional planning and the spirit of the Draft Compact for a Sustainable Bay Area.

Resolution No. 752-01
ADOPTED

011688 **[Equitable Electricity Rates]**
Supervisors Leno, Peskin

Resolution urging the California Public Utilities Commission (PUC) to devise a rate structure that treats homeowner associations and other residents in multi-unit dwellings equitably with other consumers of power.

Resolution No. 753-01
ADOPTED

011689 **[Extend Time for Planning Commission Decision to Create Glen Park SUD]**
Supervisor Leno

Resolution extending the prescribed time within which the Planning Commission may render its decision on proposed ordinances to amend the Planning Code to create the Glen Park Special Use District.

Resolution No. 754-01
ADOPTED

011690 **[Proclamation]**
Supervisor Newsom

Resolution declaring September 2001 as "National Alcohol and Drug Addiction Recovery Month" in the City and County of San Francisco.

Resolution No. 755-01
ADOPTED

011691 **[Dr. Jorge Bocobo Philippine-American Cultural Center]**
Supervisor Newsom

Resolution supporting the re-opening of the newly established Dr. Jorge Bocobo Philippine-American Cultural Center, the main project of the Foundation and the Filipino Artists, Writers, Performers, which is currently located at the Filipino Education Center.

Resolution No. 756-01
ADOPTED

011692 **[Commending Coalition for Ethical Welfare Reform]**
Supervisor Daly

Resolution commending the Coalition for Ethical Welfare Reform.

Resolution No. 757-01
ADOPTED

011693 **[Commending Michael Guest]**
Supervisor Leno

Resolution commending gay Foreign Service Officer Michael Guest on his appointment and confirmation as U.S. Ambassador to Romania.

Resolution No. 758-01
ADOPTED

011694 **[Commending Marquez Helton]**
Supervisors Maxwell, Newsom

Resolution commending fourteen year old Marquez Helton for his selfless and heroic act on Saturday September 22, 2001.

Resolution No. 759-01
ADOPTED

011695 **[Commending Department of Children, Youth and Their Families]**
Supervisor Newsom

Resolution commending the Department of Children, Youth and Their Families (DCYF) for inspiring the voices of our youth to create Youth IMPACT by funding the first comprehensive youth-led evaluation of DCYF-funded organizations.

Resolution No. 760-01
ADOPTED

011726 **[Chinese Historical Society of America Day]**
Supervisors Peskin, Yee, Hall, McGoldrick, Maxwell, Newsom

Resolution proclaiming Saturday, November 17, 2001 Chinese Historical Society of America Day in San Francisco for their grand opening of the Chinese American National Museum and Learning Center.

Resolution No. 761-01
ADOPTED

011727 **[Little Chile Place]**
Supervisor Peskin

Resolution honoring the accomplishments and contributions of Chilean Americans to the early development of San Francisco and authorizing a plaque provided by the government of Chile on the corner of Jackson and Kearny Streets recognizing such contributions.

Resolution No. 762-01
ADOPTED

011676 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M01-142
APPROVED

011706 **[Final Map for a 21 Unit Mixed-Use Condominium Project]**

Motion approving the Final Map of 3388 17th Street, A Mixed-Use Condominium Project, being a subdivision of Lot 92, Assessor's Block No. 3569, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,147; District 9.)

Motion No. M01-144

APPROVED

011707 **[Final Map for a 6 Unit Condominium Project]**

Motion approving the Final Map of 1701 Page Street, A Residential Condominium Project, being a subdivision of Lot 1, Assessor's Block No. 1230, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,181; District 5.)

Motion No. M01-145

APPROVED

011708 **[Final Map for a 9 Lot Subdivision]**

Motion approving the Final Map of 598 Missouri Street, A Nine Lot Subdivision Project, being a subdivision of Lot 5, Assessor's Block No. 4100, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,146; District 10.)

Motion No. M01-146

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 2 - Daly, Maxwell

Severd from Adoption Without Committee Reference

011686 **[Elections Task Force use the principle of "maximum continuity"]**

Supervisors Gonzalez, Maxwell

Resolution urging the Elections Task Force use the principle of "maximum continuity" in redrawing supervisorial districts.

Supervisor Yee moved to sever so that the item could be considered separately.

REFERRED to the Rules Committee.

011687 [Amendment to Ellis Act]
Supervisor Hall

Resolution urging the State Legislature to amend the Ellis Act to create an exception for our country's military service men and women.

Supervisor McGoldrick moved to sever so that the item could be considered separately.

REFERRED to the Housing, Transportation and Land Use Committee.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Leno, seconded by Supervisor Newsom, moved. The motion carried by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 2 - Daly, Maxwell

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted. by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 2 - Daly, Maxwell

Imperative Agenda

011740 **[Commendation]**
Supervisor Leno

Resolution commending the Tenderloin AIDS Resource Center (TARC) on its 11th Anniversary.

Resolution No. 763-01

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 2 - Daly, Maxwell

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

011741 **[Catastrophic Sick Leave Ordinance]**
Supervisor Ammiano

Ordinance repealing Section 16.9-29 of the San Francisco Administrative Code and replacing it with new Section 16.9-29A to authorize the transfer of vacation and sick leave credits to a pool of catastrophically ill employees and to individual catastrophically ill employees, and adding new Section 16.9-29B to authorize the transfer of vacation credits to individual employees with catastrophically ill family members.

10/1/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/31/2001.

011742 **[Parking Meter Regulation]**
Supervisor Newsom

Ordinance authorizing one-year period for clean air vehicles to park free of charge at on-street parking meters.

10/1/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 10/31/2001.

011743 **[Compensation for City Employee Called to Active Military Duty]**
Mayor

Ordinance amending the 2001-2002 Annual Salary Ordinance to entitle City officers or employees called to active duty with a military reserve organization to receive from the City the difference between the amount of the individual's military pay and the amount the individual would have received as a City officer or employee had the individual worked his or her normal work schedule. (Mayor)

(Fiscal impact.)

10/1/01, RECEIVED AND ASSIGNED to Finance Committee.

011746 **[Deferred Maintenance Fund]**
Supervisor Newsom

Draft ordinance amending Chapter 10, Article XIII of the San Francisco Administrative Code by adding Section 10.100-50 thereto; establishing a Deferred Maintenance Fund; establishing procedures for the request and approval of appropriations from the Deferred Maintenance Fund; approving remaining balances in the Deferred Maintenance Fund for general governmental infrastructure assets.
10/1/01, RECEIVED AND ASSIGNED to Finance Committee.

011755 **[Hydrofluoric Acid]**
Supervisor Peskin

Ordinance amending the San Francisco Police Code by adding a new Article 42D to restrict access to products containing thirty-three percent (33%) or more hydrochloric acid in solution and assessing criminal penalties for violation of this Article.
10/1/01, ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Parks Committee, expires on 10/31/2001.

Resolutions

011740 **[Commendation]**
Supervisor Leno

Resolution commending the Tenderloin AIDS Resource Center (TARC) on its 11th Anniversary.
10/1/01, ADOPTED.

011744 **[Mission District Interim Zoning Controls]**
Supervisor Ammiano

Resolution adopting interim controls that would, in the Mission District in the area bounded by Guerrero Street, Cesar Chavez Street, Potrero Avenue and the Central Freeway, prohibit certain tourist hotels, prohibit demolition of a residential use except to construct affordable housing, require mandatory discretionary review and sign posting for a change of use, require all certain new market-rate housing projects or conversions to market-rate housing to obtain conditional use authorization and allow other types of housing as a permitted use, prohibit an office or information technology use in excess of 1,500 gross square feet in areas zoned M (Industrial), and require conditional use authorization for a utility installation in areas zoned C (Commercial); that would, in the Valencia Street and 24th Street - Mission NCDs, prohibit conversions or demolitions of residential uses, prohibit information technology uses, and require conditional use for a business or professional service use of more than 2,000 square feet above the 1st story unless it is a community service; that would, in the Valencia Street NCD, permit use sizes up to 2,000 square feet as a principal use, require a conditional use for use sizes above 2,000 square feet, and prohibit new tourist hotels; that would, on Mission Street from 15th Street to Cesar Chavez Street Zoned NC-3, permit use sizes up to 2,999 square feet as a principal use, require a conditional use for certain use sizes above 2,999 square feet, require all lots over 40,000 square feet to obtain a conditional use authorization for all uses, prohibit conversions or demolition of residential uses, prohibit certain administrative service uses unless they are a community service, and authorize a community service on all stories, and prohibit an information technology use on the 1st and 2nd stories and permit it as a principal use on the 3rd story and above; that would, in the Northeast Mission Industrial Zone (NEMIZ), prohibit any office or information technology use in excess of 1,500 gross square feet unless it is a community service, and prohibit new live/work projects and all conversions of live/work to office; Adopting Findings.
10/1/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011745 **[Recognizing City of Santa Tecla, El Salvador]**
Supervisors Ammiano, Daly

Resolution officially recognizing the City of Santa Tecla, Department of La Libertad, El Salvador, as a sister city, and will work towards a cultural, economic, and scientific exchange that will enrich both cities and will include business to business relationships, and people to people relationships involving scientists, health workers, students and teachers.
10/1/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011747 **[Honoring A Home Away From Homelessness]**
Supervisors Ammiano, Daly

Resolution honoring A Home Away From Homelessness, and acknowledging, November 8, 2001 as a day to organize the necessity to serve homeless and formerly children at "The Summit-Educating Homeless Children."
10/1/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011748 **[Hate Crimes in San Francisco]**
Supervisors Ammiano, Peskin, Daly

Resolution deploring all types of Hate Crimes in San Francisco, specifically those that are perpetrated against Arab Americans during this time of national crisis.
10/1/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011749 **[Hate Crime Reward Fund]**
Supervisors Ammiano, Peskin, Daly

Resolution authorizing the District Attorney's Office to use the "Hate Crime Reward Fund" specifically to target those who perpetrate hate crimes against Arab Americans during this time of national crisis.
10/1/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011750 **[Falun Gong Practitioners]**
Supervisor Daly

Resolution urging the Chinese Government to end the persecution of Falun Gong practitioners.
10/1/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011751 **[Golden Gate Park Stables Working Group]**
Supervisor Hall

Resolution amending the composition of the Golden Gate Park Stables Working Group by adding a position for a licensed professional engineer with experience in the construction and/or rehabilitation of horse stables and by establishing a sunset period of eighteen months from the date of their first meeting.
10/1/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011752 **[L'Chaim Adult Day Health Care]**
Supervisor Leno

Resolution urging the California Department of Aging and the California Department of Health Services to approve of a second shift of L'Chaim Adult Day Health Care, a program of Jewish Family and Children's Services.
10/1/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011753 **[Valet Parking Pilot Program]**
Supervisor Newsom

Resolution urging the Department of Parking and Traffic to explore creative means of parking in the City and County of San Francisco and study and develop a Valet Parking Pilot Program.
10/1/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011754 **[Community Courts Working Group]**
Supervisors Newsom, Daly, McGoldrick

Resolution creating a Community Courts Working Group to be comprised of various stakeholders with the charge of making recommendations to the Mayor and the Board of Supervisors and setting forth the membership and duties of the working group.
10/1/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011756 **[Assembly Bill 60]**
Supervisor Sandoval

Resolution urging Governor Gray Davis to sign Assembly Bill 60.
10/1/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011757 **[Immigrant Pride Day]**
Supervisors Yee, Newsom

Resolution proclaiming October 13, 2001 "Immigrant Pride Day" in the City and County of San Francisco.
10/1/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011758 **[Commend - Anthony E. Valdez]**
Supervisors Hall, Leno, Newsom

Resolution commending Anthony E. Valdez for his election as Chairperson of the San Francisco Youth Commission, and commending the Youth Commission as a whole for its continued good work and its continued commitment to the youth of San Francisco.
10/1/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011759 [Commend - Salvation Army]
Supervisors Hall, Newsom

Resolution commending the Salvation Army for their good works on behalf of the relief workers in New York, Pennsylvania, and Washington, D.C.
10/1/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011760 [Commend - Andrea R. Martin]
Supervisors Leno, Newsom

Resolution commending Andrea R. Martin, founder of The Breast Cancer Fund.
10/1/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

011761 [Biological, Chemical and Explosive Terrorist Threats]
Supervisor Leno

Hearing on biological, chemical and explosive terrorist threat preparedness, utilizing the Department of Public Health's report from their Metropolitan Task Force Concept of Operations and Bio-terrorism Response Plan.
10/1/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

011762 [City Budget]
Supervisor McGoldrick

Hearing on the state of current City budget with focus on several areas: (1) Survey of which services delivered by the City are absolutely essential to the continued operation of San Francisco, with discussion of which services have been essential and maintained by previous administrations in previous economic and budget downturns in our City; (2) Analysis of increases and/or decreases in the need for various City services as a result of the downturn in the Bay Area economy; (3) Review of the realism of the revenue projections underlying budget decisions made by the City this summer, with consideration of methods by which revenues may be enhanced; (4) Consideration of a program whereby City employees may volunteer to take unpaid days off if it becomes necessary for City personnel costs to be reduced from those budgeted for this fiscal year.
10/1/01, RECEIVED AND ASSIGNED to Finance Committee.

011763 [Reasonable Accommodation Procedures for Disability Concerns]
Supervisor Newsom

Hearing to determine the Planning Department's and the Planning Commission's level of responsiveness to the California State Attorney General's opinion dated May 15, 2001, including, but not limited to the adoption of reasonable accommodation procedures for disability concerns.
10/1/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011764 **[City's Budget Process]**
Supervisor Peskin

Hearing to address the City's current budget process. This hearing will explore (1) how citizen participation in this budget can be expanded; (2) how consideration of the City's annual budgets can occur through an increasingly policy-centered dialogue; (2) how to better educate the local populace on the budget process and incorporate public feedback from individuals and local community groups in budget-oriented decision making.
10/1/01, RECEIVED AND ASSIGNED to Finance Committee.

011765 **[Changing Travel Patterns and Commerce]**
Supervisor Peskin

Hearing concerning the impact on changing travel patterns and commerce on the economic circumstances of the San Francisco International Airport, including the Airport's revenue, expenses and major project plans - including the San Francisco International Terminal.
10/1/01, RECEIVED AND ASSIGNED to Finance Committee. Sponsor requests this item be scheduled for consideration as soon as possible.

011766 **[Chemical or Biological Incident Preparedness Plan]**
Supervisor Sandoval

Hearing to discuss the City's contingency and preparedness plan in the event of a chemical or biological incident.
10/1/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

011767 **[Death of Tim Leung]**
Supervisor Yee

Hearing on the findings of Tim Leung's death while under the supervision of the City and County of San Francisco.
10/1/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

Motions

011768 **[Legislative Analyst Request]**
Supervisor Gonzalez

Motion asking the Legislative Analyst to report on Municipal Banks providing information on what other cities in the United States and elsewhere have municipal banks, what services those banks provide, and benefits or complications of municipal banks.
10/1/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration October 9, 2001.

011769 **[Closed Session - Potential Threats to Public Services]**
Supervisor Leno

Motion that the Board of Supervisors convene in closed session with Chief of Police Lau, Fire Chief Trevino, Sheriff Hennessey, and the Airport and Water Departments to discuss potential threats to public services or facilities.

This closed session would be permitted by Government Code Sections 54954.5 and 54957 and the San Francisco Administrative Code Sections 67.8(a)(4) and 67.10(a).
10/1/01, ASSIGNED to Board of Supervisors.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

011716 **[Airport Trip Fee Pass Through]**
Ordinance amending the San Francisco Police Code by amending Article 16, Section 1135 (a) to allow taxicab drivers to collect a $2.00 pass through fee from passengers when a trip fee is incurred at San Francisco International Airport. (Airport Commission)
9/24/01, RECEIVED AND ASSIGNED to Finance Committee.

011717 **[Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Otto Arndt and Karl Heinz Arndt against the Estate of Zygmunt Arendt for payment of $950,000 plus federal or state estate taxes, if any, to the contestants from the Estate of decedent Zgymunt Arendt; the lawsuit was filed on October 28, 1998 in San Francisco Superior Court, Case No. 270331; entitled Otto Arndt and Karl Heinz Arndt v. Ricardo Hernandez. (City Attorney)
9/24/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Confidential letter dated August 15, 2001 is on file with the Clerk of the Board.

011729 **[Residential Parking Permits]**
Supervisor Newsom

Ordinance amending San Francisco Traffic Code section 308 to limit the number of residential parking permits issued to a single address. (Parking and Traffic Department)
9/26/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

PROPOSED RESOLUTIONS

011709 **[Prevailing Wage]**
Resolution fixing the highest general prevailing rate of wages, including wages for overtime and holiday work, for various crafts and kinds of labor as paid for similar work in private employment in the City and County of San Francisco at the rates certified to the Board by the Civil Service Commission on September 17, 2001. (Civil Service Commission)
9/26/01, RECEIVED AND ASSIGNED to Finance Committee.

011710 **[Occupancy of the south side of Natoma Street during construction operations at 500 Howard Street]**
Resolution granting revocable permission to Webcor Builders to temporarily close and occupy a portion of the sidewalk and roadway areas on the southerly side of Natoma Street, westerly of 1st Street, during construction operations at 500 Howard Street (Assessor's Block 3721, Lot 011). (Public Works Department)

(District 6)
9/24/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011714 **[Occupancy of the south side of Natoma Street during construction operations at 1166 Howard Street]**
Resolution granting revocable permission to Cahill/LEM Joint Venture to temporarily close and occupy a portion of the sidewalk area on the southerly side of Natoma Street, easterly of 8th Street, during construction operations at 1166 Howard Street (Assessor's Block 3727, Lot 202). (Public Works Department)

(District 6)
9/24/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011715 **[Accept and Expend Federal Grant Funds Under the Airport Improvement Program (AIP)]**
Resolution authorizing the Airport Commission to accept and expend grant funds in the amount of $23,849,790.00 from the Federal Aviation Administration for the purpose of Airport Improvements: $15,525,000 to be expended by the Facilities Operations and Maintenance Division (A.I.P 16, Project No. 01-1-3-06-0221-1601); and $8,324,790 for Preliminary Engineering and Environmental Planning for Environmental Evaluation to be expended by the Airfield Development Bureau (A.I.P 17, Project No. 01-5-3-06-0221-0000). (Airport Commission)
9/24/01, RECEIVED AND ASSIGNED to Finance Committee.

011721 **[STOP Intersections]**
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
23rd and Hampshire Streets, northwest and southeast corners, stopping 23rd Street (makes this an all-way STOP)
24th and Hampshire Streets, northwest and southeast corners, stopping 24th Street (makes this an all-way STOP)
Grafton and Granada Avenues, northeast and southwest corners, stopping Grafton Avenue (makes this an all-way STOP)
Laidley and Roanoke Streets, northeast and southwest corners, stopping Roanoke Street (makes this an all-way STOP) (Parking and Traffic Department)

(DPT Order No. 2309.)
9/26/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011722 **[Traffic Regulations]**
Supervisor Peskin

Resolution enacting and rescinding traffic regulations on various streets.

LEFT LANE MUST TURN LEFT, EXCEPT MUNI - RESCIND

MULTIPLE RIGHT TURN LANES - ESTABLISH
Northpoint Street, eastbound, at The Embarcadero (Parking and Traffic Department)

(DPT Order No. 2309.)
9/26/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011724 **[State Grant - Supportive Housing Initiative Act]**
Supervisor Leno

Resolution authorizing the Department of Human Services to accept and expend a grant in the amount of $3,000,000 from the California Department Of Mental Health Supportive Housing Initiative Act. (Human Services Department)
9/26/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

011725 **[Estimating Unmet Need for Primary Care]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into a subcontract agreement in the amount of $20,000 with the Regents of the University of California, AIDS Research Center (UCARC) to collaborate in efforts to assess unmet needs for primary care by persons receiving AIDS services in San Francisco; for the period of April 10, 2001 to April 9, 2002. (Public Health Department)
9/26/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Department requests this item be calendared at the October 9, 2001 meeting.

011728 **[Nomination of County Veterans Service Officer]**
Resolution confirming the nomination of Lt. Col. Wallace Levin, CSMR (Ret.) as County Veterans Service Officer. (Adult and Aging Services)
9/26/01, RECEIVED AND ASSIGNED to Rules Committee.

011731 **[Ground Lease of Redevelopment Agency Land for Namiki Apartments]**
Mayor

Resolution approving the Redevelopment Agency of the City And County of San Francisco's lease of land at Assessor's Block 675, Lot 49, commonly known as 1776 Sutter Street, to Namiki Apartments, L.P., for 50 Years for the purpose of preserving a housing development for very low and low income households. (Mayor)
9/26/01, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole on October 15, 2001, at 3:00 p.m.
9/26/01, RECEIVED AND ASSIGNED to Board of Supervisors.

011732 **[Amendment to Port Lease at 1 Ferry Plaza]**
Supervisor Peskin

Resolution approving Third Amendment to Port Lease No. L-8627 with Ferry Plaza Limited Partnership, for leased premises located at 1 Ferry Plaza. (Port)
9/26/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011733 **[Water Pipeline and Easement Relocation]**
Resolution authorizing the relocation of Crystal Springs Pipeline Numbers 1 and 2 within the City of South San Francisco along Bayshore Boulevard in accordance with a Water Supply Lines Relocation Agreement, and the subsequent transfer of easements. (Real Estate Department)

(Fiscal impact.)
9/26/01, RECEIVED AND ASSIGNED to Finance Committee.

Requests Granted

From: Supervisor Gonzalez
To: Executive Director, Department of Parking and Traffic
Requesting/Inquiring: To provide information on steps they are taking or are planning to take for traffic and pedestrian safety for the Fell and Oak Street corridor.

From: Supervisor Hall
To: City Attorney
Requesting/Inquiring: To draft an amendment to Section 540 of the Elections Code that (1) allows drafters of arguments to submit only one argument per ballot measure; and that (2) creates a new fourth priority in Sections 545 (a)(I) and 545 (a)(2) for any other elected public office holder at the state or local level who is registered to vote in San Francisco (excluding members of state or county party central committees).

From: Supervisors Hall, Newsom
To: Director, Mayor's Office of Housing
Requesting/Inquiring: 1996 Proposition A - Affordable Housing Funds
1. How many units of housing were created with the Prop A funds?
2. What was the average cost per square foot/cost per unit?
3. What was the racial, ethnic, age and income level breakdown of the individuals who received this housing?
4. What non-profit organizations received funding to construct the affordable housing, and how much was given to each non-profit organization?
5. What properties were purchased with the funds, and/or what properties were refinanced with the funds (by location)?
6. Who is the current titleholder for each property developed?
7. Please provide a copy of the original bond covenant.

From: Supervisor Hall
To: Director, Mayor's Office of Homelessness
To: Director, Department of Human Services
Requesting/Inquiring: That the Directors of the Mayor's Office of Homelessness and the Department of Human Services report on spending on Homeless Services, specifically:
1. During fiscal year 2000/01, the Department of Human Services received approximately $35 million in funding for homeless services. To which non-profit organizations was this money given, and how much was given to each non-profit?
2. What services did the non-profit organizations agree to perform in exchange for receiving the funds?

From: Supervisor Hall
To: Controller's Office
Requesting/Inquiring: In addition to the Department of Human Services, are there any other City Departments, during fiscal year 2000/01 that received funding for the provision of homeless services. If so, which ones, and how much money per Department?

From: Supervisor Newsom
To: City Attorney
Requesting/Inquiring: To draft an ordinance which creates a mechanism that seeks reimbursement for all costs for the labor, transportation and storage from retailers and/or businesses whose shopping carts are administered by the Department of Public Works' Abandoned Shopping Carts Program.

From: Supervisors Newsom, Daly, McGoldrick
To: City Attorney
Requesting/Inquiring: To draft a proposal for an ongoing training program for City employees and officials in the prevention of workplace harassment, disability accommodation, and other related issues. (See attached.)

From: Supervisor Newsom
To: Director, Department of Public Works
Requesting/Inquiring: To report on the feasibility of implementing a City-administered homeless rehabilitation and/or occupational program in order to provide educational, health, counseling, housing, and employment training services for homeless persons within the City and County of San Francisco. This inquiry shall include information regarding the current efforts of DPW in providing current programs similar to those being proposed, the availability of funds, and the successes of said programs.
Supervisor Newsom requests a response to this inquiry effective after 90 days of the receipt of this letter of inquiry.

From: Supervisor Sandoval
To: General Manager, Municipal Railway
Requesting/Inquiring: To inquire about the feasibility of reinstalling a 43-line bus stop at the corner of Naples and Geneva Avenue.

From: Supervisor Sandoval
To: City Attorney
Requesting/Inquiring: To draft legislation allowing Zero-emission vehicles and "super-ultra low-emission vehicles" to park free of charge at all city meters.

From: Supervisor Sandoval
To: Director, Department of Public Health
Requesting/Inquiring: To inquire about measures that the Department is taking to prevent service providers from being issued bad checks.

From: Supervisor Sandoval
To: Executive Director, Department of Parking and Traffic
To: Director, Mayor's Office of Housing
Requesting/Inquiring: That the Department of Parking and Traffic and the Mayor's Office of Housing examine the feasibility of using vacant City owned property at 5199 Mission Street as temporary or interim parking pending the development of that property.

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

John Patrick Shanley (Supervisors Hall, Yee, Newsom, McGoldrick)

ADJOURNMENT

There being no further business, the Board at the hour of 4:14 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 19, 2001.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

9/01

MEETING MINUTES

DOCUMENTS DEPT
FEB 2 6 2002
SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, October 9, 2001 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Audit, Labor and Government Efficiency Committee Supervisors Newsom, Daly, McGoldrick	2nd & 4th Tuesday 1:00 PM
City and School District Committee Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar	Call of the Chair
Economic Vitality, Small Business and Social Policy Committee Supervisors Sandoval, Newsom, Maxwell	1st & 3rd Tuesday 10:00 AM
Finance Committee Supervisors Leno, Peskin, Gonzalez	Wednesday 10:00 AM
Housing, Transportation and Land Use Committee Supervisors McGoldrick, Daly, Peskin	2nd & 4th Thursday 10:00 AM
Neighborhood Services and Parks Committee Supervisors Yee, Hall, Sandoval	1st & 3rd Tuesday 1:00 PM
Public Health and Environment Committee Supervisors Maxwell, Yee, Leno	2nd & 4th Tuesday 10:00 AM
Public Utilities and Deregulation Committee Supervisors Daly, Gonzalez, Ammiano	Call of the Chair
Rules Committee Supervisors Gonzalez, Hall, Ammiano	1st & 3rd Thursday 1:00 PM

First-named Supervisor/Commissioner is Chair. Second-named Supervisor/Commissioner is Vice-Chair. of the Committee.

Volume 96 Number 39

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 3:00 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Maxwell, Sandoval - 2.

Quorum present.

Supervisor Maxwell was noted present at 3:02 p.m.

Supervisor Sandoval was noted present at 3:04 p.m.

APPROVAL OF MEETING MINUTES

Motion to approve the October 9, and October 15, 2001, Meeting Minutes.

Supervisor Daly, seconded by Supervisor Yee, moved to approve the August 20, 2001 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled or considered differently.

Supervisor Daly indicated that he would like to take up Public Comment and Item No. 27 as the first order of business.

COMMUNICATIONS

CONSENT AGENDA

Recommendation of the Audit, Labor and Government Efficiency Committee

011608 **[MOU, Amendment No. 3, Locals 250, 535, and 790]**

Ordinance adopting and implementing Amendment No. 3 to the 2000-2003 Collective Bargaining Agreement between the Service Employees International Union, Locals 250, 535 and 790 and the City and County of San Francisco by amending Article III.A by adding paragraphs 204a, 204b and 204c, increasing wages for Classification 8238 (Public Safety Communications Dispatcher) and Classification 8239 (Senior Police Communications Dispatcher). (Human Resources Department)

(Fiscal impact.)

Ordinance No. 207-01

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Audit, Labor and Government Efficiency Committee

011167 **[MTBE Purchase Ban]**

Supervisors Newsom, Daly, McGoldrick, Sandoval, Leno, Peskin, Maxwell

Ordinance amending San Francisco Administrative Code by adding Chapter 12S prohibiting the bulk purchase of gasoline and/or other motor vehicle fuel containing MTBE by City Departments, effective January 1, 2002.

(Fiscal impact.)

Supervisor Sandoval, seconded by Supervisor Gonzalez moved to continue to October 15, 2001.

CONTINUED by the following vote:

Ayes: 6 - Ammiano, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 5 - Daly, Hall, Leno, Newsom, Yee

Recommendation of the Rules Committee

010940 **[Internet Filtering]**
Supervisors Leno, Daly

Ordinance amending the San Francisco Administrative Code by adding Chapter 22C to prohibit the use of Internet filtering or content blocking technology ("filtering software") on City-owned computers used as public Internet access terminals.

(Supervisor Hall dissenting in Committee.)

Ordinance No. 206-01
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Daly

NEW BUSINESS

Recommendations of the Economic Vitality, Small Business and Social Policy Committee

010778 **[Campaign and Governmental Conduct Code, Mass Mailings]**
Supervisors Leno, Newsom

Ordinance amending Article I, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code by adding Section 1.161 to require candidates who pay for mass mailings to identify themselves on the mailings with a "paid for by" designation, and file a copy of the mass mailing along with an itemized disclosure statement with the San Francisco Ethics Commission.

10/9/01 - Supervisor Leno, seconded by Supervisor Peskin, moved to amend. On Page 1, line 20, replace "6" with "14". On Page 2, line 5, replace "two" with "five".
AMENDED.

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011581 **[Grant - Department of Human Services]**
Mayor

Resolution authorizing the Department of Human Services to retroactively accept and expend a grant in the amount of $9,753,765 from the U.S. Department of Housing and Urban Development for Stewart B. McKinney Supportive Housing Program. (Mayor)

Resolution No. 767-01
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011600 **[Refugee County Plan, Federal Fiscal Year 2001]**

Resolution approving the San Francisco Federal Fiscal Year 2001 Refugee County Plan. (Private Industry Council)

Resolution No. 768-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011610 **[Grant, Gang Free Communities Program]**

Resolution authorizing the Department of Children, Youth and Their Families to retroactively accept and expend a grant in the amount of $24,293 from the office of Juvenile Justice and Delinquency Prevention (OJJDP) for the Gang Free Communities Program that is currently authorized by OJJDP, and up to $150,000 upon receipt of the final award letter from OJJDP. (Mayor)

Resolution No. 770-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendation of the Finance Committee

010982 **[Reserved Funds, SF LAFCO]**

Motion releasing $239,806 placed on Board of Supervisors Reserve for the San Francisco Local Agency Formation Commission (SF LAFCo) to pay for the services of the City Attorney and outside legal counsel. (Clerk of the Board)

Motion No. M01-147

APPROVED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Noes: 2 - Hall, Newsom

Recommendations of the Housing, Transportation and Land Use Committee

011114 **[Zoning Map Amendment, 525 Golden Gate]**
Supervisor Ammiano

Ordinance amending Zoning Map Sheet 2H of the City and County of San Francisco for property located at 525 Golden Gate Avenue, Lot 1 in Assessor's Block 766, to change the height district classification from 130E to 200L; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the eight Priority Policies of Planning Code Section 101.1.

(Planning Commission Resolution #16213 adopting General Plan amendment findings dated 8/23/01; Planning Commission Resolution #16214 adopted 8/23/01 recommending the proposed amendment; Planning Commission Resolution #16215 adopted 8/23/01 amending the Urban Design Element of the General Plan; Planning Commission Resolution #16216 adopting findings that the shadow impact will be insignificant.)
(9/24/01 in Board: Supervisor Ammiano submitted a substitute ordinance bearing same title)
(Supervisor Daly dissenting in Committee.)

10/9/01 - Supervisor Ammiano, seconded by Supervisor Leno, moved to amend. On Page 1, line 19, delete the word "in".
AMENDED.

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 10 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Daly

011115 **[General Plan Amendment, 525 Golden Gate]**
Supervisor Ammiano

Ordinance amending the San Francisco General Plan in connection with approval of a City Administrative Building; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the eight Priority Policies of Planning Code Section 101.1.

(Planning Commission Resolution #16212 adopting findings pursuant to CEQA dated 8/23/01; Planning Commission Resolution #16213 adopting General Plan amendment findings dated 8/23/01; Planning Commission Resolution #16214 adopted 8/23/01 recommending the proposed amendment; Planning Commission Resolution #16215 adopted 8/23/01 amending the Urban Design Element of the General Plan; Planning Commission Resolution #16216 adopting findings that the shadow impact will be insignificant.)
(9/24/01 in Board: Supervisor Ammiano submitted a substitute ordinance bearing same title.)
(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:
Ayes: 8 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 1 - Daly
Absent: 2 - Sandoval, Yee

011116 **[CEQA Findings, 525 Golden Gate]**
Supervisor Ammiano

Resolution affirming certification of the Final Environmental Impact Report and adopting environmental findings pursuant to the California Environmental Quality Act and State Guidelines in connection with adoption of General Plan Amendment, Zoning Map Amendment and other actions to approve development and construction of City Administrative Building located at 525 Golden Gate Avenue.

(Planning Commission Resolution #16092 adopting findings certifying FEIR dated 2/15/01; Received FEIR dated 2/15/01; Planning Commission Resolution #16212 adopting findings pursuant to CEQA dated 8/23/01.)
(9/24/01 in Board: Supervisor Ammiano submitted a substitute resolution bearing same title.)
(Supervisor Daly dissenting in Committee.)

Resolution No. 764-01

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 1 - Daly
Absent: 2 - Sandoval, Yee

011555 **[Changing Official Width of Sidewalk]**

Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" is amended by adding thereto Section No. 1551 Changing the Official Sidewalk Width on a Portion of Front Street between Sacramento and California Streets, as shown on Department of Public Works drawing labeled Q-20-514 and making findings pursuant to City Planning Code Section 101.1. (Public Works Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

011303 **[Occupancy of an eastbound traffic lane on Townsend Street during construction operations at 160 King Street]**

Resolution granting revocable permission to Webcor Builders to temporarily close and occupy an eastbound traffic lane, adjacent to a covered pedestrian walkway, on the southerly side of Townsend Street, from 9:00 AM to 3:00 PM and from 10:00 PM to 6:00 AM daily, during construction operations at 160 King Street (Assessor's Block 3794, Lot 025). (Public Works Department)

Resolution No. 765-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

011529 **[Installation of disability access ramps to provide access to 1 Tillman Place]**

Resolution granting revocable permission to Grace W. C. and Simon B. L. Chang to occupy a portion of the street to install disability access ramps to provide access to 1 Tillman Place. (Public Works Department)

Resolution No. 766-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendation of the Neighborhood Services and Parks Committee

011410 **[Loitering At or Near Automatic Public Toilets]**
Supervisor Hall

Ordinance amending Part II, Chapter VIII, Article 2 of the San Francisco Municipal (Police) Code by adding Section 124-124.6 to prohibit more than one person from entering or remaining in an automatic public toilet at one time and to prohibit loitering at or near automatic public toilets.

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved to continue to October 15, 2001.

CONTINUED by the following vote:
Ayes: 7 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Sandoval
Noes: 4 - Hall, Newsom, Peskin, Yee

Recommendation of the Rules Committee

011605 **[Appointment]**

Resolution appointing Susan Jacklyn Lombardi, Katherine Black, Rachel Arnstine, Gary Hanes, and John Farley, terms to be determined, to the Golden Gate Park Stables Working Group.

Susan Jacklyn Lombardi, new position, seat 1, must currently board a horse at the Golden Gate Park stables, term to be determined;
Katherine Black, new position, seat 2, must have a background in, and experience with, boarding horses and/or managing a boarding facility, term to be determined;
Rachel Arnstine, new position, seat 3, must have experience in equestrian competition or have previously taught equestrian riding, term to be determined;
Gary Hanes, new position, seat 4, must be a licensed veterinarian, who specializes in the medical treatment of horses, term to be determined;
John Farley, new position, seat 5, must be a representative from the Recreation and Park Department, term to be determined.

Supervisor Hall, seconded by Supervisor Yee moved to divide Susan Jackly Lombardi, Seat 1.
DIVIDED.

Resolution appointing Katherine Black, Rachel Arnstine, Gary Hanes, and John Farley, terms to be determined, to the Golden Gate Park Stables Working Group.

Katherine Black, new position, seat 2, must have a background in, and experience with, boarding horses and/or managing a boarding facility, term to be determined;
Rachel Arnstine, new position, seat 3, must have experience in equestrian competition or have previously taught equestrian riding, term to be determined;
Gary Hanes, new position, seat 4, must be a licensed veterinarian, who specializes in the medical treatment of horses, term to be determined;
John Farley, new position, seat 5, must be a representative from the Recreation and Park Department, term to be determined.

Resolution No. 769-01

ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011832 **[Appointment]**

Resolution appointing Susan Jacklyn Lombardi, term to be determined, to the Golden Gate Park Stables Working Group.

Susan Jacklyn Lombardi, new position, seat 1, must currently board a horse at the Golden Gate Park stables. term to be determined.

See File 011605.

REFERRED to the Rules Committee.

COMMITTEE REPORTS

PUBLIC COMMENT

Rose Pak, opposed to Falun Gong;
Student from China, supports Falun Gong;
Male speaker, supports Falun Gong;
Samuel Wong, opposed to Falun Gong;
Male speaker, opposed to Falun Gong;
Robin Yee, supports Falun Gong;
Sheri Jung, supports Falun Gong;
Male speaker, supports Falun Gong;
Loren Jung, opposed to Falun Gong;
Krau Lew, supports Falun Gong;
Steve Kratz, supports Falun Gong;
Charles Lee, M.D., supports Falun Gong;
James Carr, regarding visit from son;
Abdalla Megahed, public toilets;

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

011705 [Legislative Analyst Request]
Supervisor Leno

Motion asking the Legislative Analyst to research on the following in order of priority: (1) Assess the cost of additional steam cleaning of sidewalks for the Castro area; (2) Assess the cost of additional street cleaning for the Castro Area; (3) Assess the cost of additional graffiti removal for the Castro Area; (4) Analyze reporting process by special patrols to the Police Department to consider possibility of clerical workers completing paper work to allow patrols to be on the street rather than filling out paper work. Special Patrol officers have reported a great deal of their time is spent filling out paper work that they believe could be done by clerical workers; (5) Assess the cost of providing additional special patrols for the Castro Area; (6) Assess the cost of providing Health Department crisis intervention outreach workers to the Castro Area; and (7) Assess the cost of providing additional lighting for Harvey Milk Plaza.

APPROVED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Hall, McGoldrick

011768 [Legislative Analyst Request]
Supervisor Gonzalez

Motion asking the Legislative Analyst to report on Municipal Banks providing information on what other cities in the United States and elsewhere have municipal banks, what services those banks provide, and benefits or complications of municipal banks.

APPROVED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 23 through 40

011745 [Recognizing City of Santa Tecla, El Salvador]
Supervisors Ammiano, Daly

Resolution officially recognizing the City of Santa Tecla, Department of La Libertad, El Salvador, as a sister city, and will work towards a cultural, economic, and scientific exchange that will enrich both cities and will include business to business relationships, and people to people relationships involving scientists, health workers, students and teachers.

Resolution No. 771-01
ADOPTED

011747 [Honoring A Home Away From Homelessness]
Supervisors Ammiano, Daly

Resolution honoring A Home Away From Homelessness, and acknowledging, November 8, 2001 as a day to organize the necessity to serve homeless and formerly children at "The Summit-Educating Homeless Children."

Resolution No. 772-01
ADOPTED

011748 **[Hate Crimes in San Francisco]**
Supervisors Ammiano, Peskin, Daly

Resolution deploring all types of Hate Crimes in San Francisco, specifically those that are perpetrated against Arab Americans during this time of national crisis.

Resolution No. 773-01
ADOPTED

011749 **[Hate Crime Reward Fund]**
Supervisors Ammiano, Peskin, Daly

Resolution authorizing the District Attorney's Office to use the "Hate Crime Reward Fund" specifically to target those who perpetrate hate crimes against Arab Americans during this time of national crisis.

Resolution No. 774-01
ADOPTED

011751 **[Golden Gate Park Stables Working Group]**
Supervisor Hall

Resolution amending the composition of the Golden Gate Park Stables Working Group by adding a position for a licensed professional engineer with experience in the construction and/or rehabilitation of horse stables and by establishing a sunset period of eighteen months from the date of their first meeting.

Resolution No. 775-01
ADOPTED

011752 **[L'Chaim Adult Day Health Care]**
Supervisor Leno

Resolution urging the California Department of Aging and the California Department of Health Services to approve of a second shift of L'Chaim Adult Day Health Care, a program of Jewish Family and Children's Services.

Resolution No. 776-01
ADOPTED

011753 **[Valet Parking Pilot Program]**
Supervisor Newsom

Resolution urging the Department of Parking and Traffic to explore creative means of parking in the City and County of San Francisco and study and develop a Valet Parking Pilot Program.

Resolution No. 784-01
ADOPTED

011757 **[Immigrant Pride Day]**
Supervisors Yee, Newsom

Resolution proclaiming October 13, 2001 "Immigrant Pride Day" in the City and County of San Francisco.

Resolution No. 777-01
ADOPTED

011758 **[Commend - Anthony E. Valdez]**
Supervisors Hall, Leno, Newsom

Resolution commending Anthony E. Valdez for his election as Chairperson of the San Francisco Youth Commission, and commending the Youth Commission as a whole for its continued good work and its continued commitment to the youth of San Francisco.

Resolution No. 778-01
ADOPTED

011759 **[Commend - Salvation Army]**
Supervisors Hall, Newsom

Resolution commending the Salvation Army for their good works on behalf of the relief workers in New York, Pennsylvania, and Washington, D.C.

Resolution No. 779-01
ADOPTED

011760 **[Commend - Andrea R. Martin]**
Supervisors Leno, Newsom

Resolution commending Andrea R. Martin, founder of The Breast Cancer Fund.

Resolution No. 780-01
ADOPTED

011776 **[Final Map for a 5 Unit Condominium Project]**
Motion approving the Final Map of 425 14th Street, A Residential Condominium Project, being a subdivision of Lot 30, Assessor's Block No. 3546, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,187; District 6.)

Motion No. M01-148
APPROVED

011777 **[Final Map for a 9 Unit Mixed-Use Condominium Project]**
Motion approving the Final Map of 166 Sanchez Street, A Mixed-Use Condominium Project, being a subdivision of Lot 9, Assessor's Block No. 3541, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,186; District 8.)

Motion No. M01-149
APPROVED

011778 **[Final Map for a 13 Unit Live Work/Commercial Condominium Project]**

Motion approving the Final Map of 1026 Folsom Street, A Live Work/ Commercial Condominium Project, being a subdivision of Lot 15, Assessor's Block No. 3731, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,200; District 6.)

Motion No. M01-150

APPROVED

011779 **[Final Map for a 34 Unit Mixed-Use Condominium Project]**

Motion approving the Final Map of 410 Jessie Street, A Mixed-Use Condominium Project, being a subdivision of Lot 2, Assessor's Block No. 3704, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,185; District 6.)

Motion No. M01-151

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Severed from Adoption Without Committee Reference

011750 **[Falun Gong Practitioners]**

Supervisor Daly

Resolution urging the Chinese Government to end the persecution of Falun Gong practitioners.

REFERRED to the Economic Vitality, Small Business and Social Policy Committee.

011754 **[Community Courts Working Group]**

Supervisors Newsom, Daly, McGoldrick

Resolution creating a Community Courts Working Group to be comprised of various stakeholders with the charge of making recommendations to the Mayor and the Board of Supervisors and setting forth the membership and duties of the working group.

Supervisor Gonzalez moved to continue to October 15, 2001.

CONTINUED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011756 **[Assembly Bill 60]**

Supervisor Sandoval

Resolution urging Governor Gray Davis to sign Assembly Bill 60.

Supervisor Sandoval, seconded by Supervisor Leno moved to table.

TABLED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Yee, seconded by Supervisor Newsom, moved. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yee, seconded by Supervisor Newsom, moved Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Imperative Agenda

011790 **[Recognizing Norwegian Seaman's Church of San Francisco]**
Supervisor Peskin

Resolution recognizing the Norwegian Seaman's Church of San Francisco on the occasion of the 50th Jubilee anniversary.

Resolution No. 781-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011791 **[Commending Deputy City Attorney Matthew D. Davis]**
Supervisors Ammiano, Peskin

Resolution commending Deputy City Attorney Matthew D. Davis upon his departure from dedicated service with the City Attorney's Office; declaring October 12, 2001 as Matt Davis Day in the City and County of San Francisco.

Resolution No. 782-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011792 **[Declaring October 13, 2001 as Sustainability Day]**
Supervisor Yee

Resolution declaring Saturday, October 13, 2001 as Sustainability Day in the City and County of San Francisco.

Resolution No. 783-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

011746 **[Deferred Maintenance Fund]**
Supervisor Newsom

Ordinance amending Chapter 10, Article XIII of the San Francisco Administrative Code by adding Section 10.100-290 thereto; establishing a San Francisco Deferred Maintenance Fund and accounts within said fund; establishing procedures for the request and approval of appropriations from the San Francisco Deferred Maintenance Fund; and approving remaining balances in the San Francisco Deferred Maintenance Fund for general governmental infrastructure assets.

(Fiscal impact.)

10/1/01, RECEIVED AND ASSIGNED to Finance Committee.

10/9/01, SUBSTITUTED. Supervisor Newsom submitted a substitute ordinance bearing new title and approved as to form.

10/9/01, ASSIGNED to Finance Committee.

011788 **[Street Artists Program]**
Supervisor Ammiano

Ordinance amending Article 24 of the San Francisco Police Code by amending Section 2402 to remove provision establishing the maximum annual amount paid to each member of the Advisory Committee of Street Artists and Craftsmen Examiners for meetings and studio visits.
10/9/01, ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Parks Committee, expires on 11/8/2001.

011794 **[Arts Commission Street Artists Fund - Accumulation of Interest]**
Supervisor Ammiano

Ordinance amending the San Francisco Administrative Code by amending Section 10.100-32 to expressly allow for accumulation of interest on any amount deposited in the Arts Commission Street Artists Fund.
10/9/01, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 11/8/2001.

011795 **[Prohibit Motor Vehicle Traffic in Golden Gate Park]**
Supervisor Gonzalez

Ordinance adding Section 6.12 to the San Francisco Park Code to prohibit motor vehicle traffic in Golden Gate Park on Saturdays on John F. Kennedy Drive between Kezar and Transverse Drive; Arguello Blvd.; Conservatory Drive East and Conservatory Drive West; and Bowling Green Drive between John F. Kennedy Drive and Middle Drive East, effective June 1, 2003.
10/9/01, ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Parks Committee, expires on 11/8/2001.

011796 **[Transportation of Aggregate Materials]**
Supervisor Maxwell

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12T to require City Departments and contractors operating vehicles carrying dirt and other aggregate material to cover the load to prevent the entrainment of particulate material into the air during the transportation of such materials within San Francisco.
10/9/01, RECEIVED AND ASSIGNED to Rules Committee.

Resolutions

011642 **[Pedestrian Safety and Street Resurfacing General Obligation Bonds]**
Supervisors Ammiano, Sandoval, Maxwell

Resolution determining and declaring that the public interest and necessity demand the financing of street resurfacing, curb ramp construction, sidewalk improvement and street structure improvement projects and all other aspects necessary or convenient for the foregoing purposes, that the estimated cost of $150,000,000 is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness.

(Supervisor Gonzalez dissenting in Committee.)
(Fiscal impact.)
9/17/01, RECEIVED AND ASSIGNED to Finance Committee.
10/9/01, SUBSTITUTED. President Ammiano submitted a substitute resolution bearing new title.
10/9/01, ASSIGNED to Finance Committee.

011789 **[State Grant - Department of the Environment]**
Mayor, Supervisors Newsom, Peskin

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of up to $300,000 from the California Integrated Waste Management Board for the purpose of increasing used motor oil recycling and household hazardous waste management. (Mayor)
10/9/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

011790 **[Recognizing Norwegian Seaman's Church of San Francisco]**
Supervisor Peskin

Resolution recognizing the Norwegian Seaman's Church of San Francisco on the occasion of the 50th Jubilee anniversary.
10/9/01, ADOPTED.

011791 **[Commending Deputy City Attorney Matthew D. Davis]**
Supervisors Ammiano, Peskin

Resolution commending Deputy City Attorney Matthew D. Davis upon his departure from dedicated service with the City Attorney's Office; declaring October 12, 2001 as Matt Davis Day in the City and County of San Francisco.
10/9/01, ADOPTED.

011792 **[Declaring October 13, 2001 as Sustainability Day]**
Supervisor Yee

Resolution declaring Saturday, October 13, 2001 as Sustainability Day in the City and County of San Francisco.
10/9/01, ADOPTED.

011797 **[Mandating Police Crisis Intervention Training]**
Supervisor Ammiano

Resolution urging the Police Commission and the San Francisco Police Department (SFPD) to mandate a Police Crisis Intervention training for the San Francisco Police Department Officers.
10/9/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

011798 [Interim Zoning Requiring Conditional Use Authorization for Large Retail Uses]
Supervisor Ammiano

Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for large retail uses in C-2, C-M, M-1, M-2, RSD, SLR, SLI, SPD and SSO zones, including lots under the jurisdiction of the San Francisco Port Commission or in a redevelopment project area with an adopted redevelopment plan under the jurisdiction of the San Francisco Redevelopment Agency Commission, for a one year period and making a determination of consistency with the priority policies of Planning Code Section 101.1.

10/9/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee. 10/18/01 - Transmitted to Director of Planning for environmental review.

011799 [Oak and Baker all-red-interval traffic control signals]
Supervisor Gonzalez

Resolution directing the Department of Parking and Traffic to install all-red-interval traffic control signals at the intersection of Oak Street and Baker Street.

10/9/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011800 [Reviewing Annual Budget]
Supervisor McGoldrick

Resolution setting priorities and amending processes of the Board of Supervisors in reviewing the annual budget of City departments submitted by the Mayor.

10/9/01, RECEIVED AND ASSIGNED to Rules Committee.

011801 [2012 Olympic Games to San Francisco]
Supervisors Yee, Hall

Resolution supporting the efforts of the Bay Area Sports Organizing Committee (BASOC) to bring the 2012 Olympic Games to San Francisco Bay Area and encouraging the United States Olympic Committee to select San Francisco as the official U.S. Candidate City for the 2012 Olympic Games; authorizing the Mayor to execute the Joinder Undertaking Agreement with the United States Olympic Committee subject to certain conditions; and authorizing the Mayor to execute an agreement with BASOC.

10/9/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

011803 [Supporting Bargaining Goals of the California Faculty Association]
Supervisor Ammiano

Resolution supporting the bargaining goals of the California Faculty Association in their current troubled negotiations with the California State University.

10/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011804 **[Artwork Honoring Harvey Milk]**
Supervisors Gonzalez, Leno, Ammiano, Maxwell, Sandoval, Daly, Peskin, Newsom, Yee, McGoldrick, Hall

Resolution urging the Arts Commission to solicit and the City Hall building manager to determine an appropriate location for the installation of a permanent piece of artwork honoring Supervisor Harvey Milk in San Francisco City Hall.

10/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011805 **[Barry Bonds Day]**
Supervisors Hall, Daly

Resolution proclaiming October 27, 2001 "Barry Bonds Day" in the City and County of San Francisco.

10/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011806 **[Urging Enactment of SB 71]**
Supervisors Leno, Peskin, Newsom

Resolution urging California Governor Gray Davis to sign SB 71, Senator John Burton's Worker's Compensation bill.

10/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011807 **[Urging High Speed Rail Authority]**
Supervisors Leno, Maxwell

Resolution endorsing the Caltrain Corridor Alignment and Transbay Terminal Station for program-level environmental review by the California High Speed Rail Authority, supporting completion of the Program Environmental Impact Report/Environmental Impact Statement (EIR/EIS), and urging the California High Speed Rail Authority to work with the City and County of San Francisco and other agencies to identify and evaluate alternatives for a new Transbay Intercity Rail Crossing and direct San Francisco-Oakland-Sacramento High Speed Rail service.

10/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011808 **[Endorsing California Passenger Rail 20 Year Plan]**
Supervisors Leno, Maxwell

Resolution endorsing the California Passenger Rail 20-Year Improvement Plan.

10/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011809 **[Establishing a City Contracting Task Force]**
Supervisor Maxwell

Resolution establishing a City Contracting Task Force to review and make recommendation to the Board on possible legislative and budgetary actions relating to the City's policies and practices regarding contracting vital human health, safety, and affordable housing services with non-profit organizations.
10/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011810 **[USDA Resource Conservation and Development Program]**
Supervisor Maxwell

Resolution co-sponsoring an application to the USDA Resource Conservation and Development program (RC&D) for the City and County of San Francisco.
10/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011811 **[Recognizing San Francisco Neighborhood Merchants]**
Supervisors Yee, Newsom

Resolution establishing the ongoing recognition of San Francisco's Neighborhood Merchants contributions to the economy and employment opportunities for San Francisco residents.
10/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011812 **[Commending - Jack Hirschman]**
Supervisors Gonzalez, Peskin, Newsom

Resolution commending and congratulating Jack Hirschman on his many accomplishments and on the occasion of his 68th birthday, December 13, 2001.
10/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011813 **[Commending - Barry Lamar Bonds]**
Supervisors Newsom, Daly

Resolution commending San Francisco Giants team member, Barry Lamar Bonds, for his recent record breaking year, and specifically for breaking the single season home run record.
10/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011814 **[Commending - Department of Elections]**
Supervisor Sandoval

Resolution commending the Department of Elections for holding its Midnight Madness Event on October 9, 2001 to encourage voter participation in the election process.
10/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

011802 **[PG&E's Proposed Bankruptcy Plan]**
Supervisor Ammiano

Hearing to consider PG&E's proposed bankruptcy plan.
10/9/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

011815 **[Maintenance of PG&E Electricity Distribution Grid]**
Supervisor Ammiano

Hearing to consider maintenance of PG&E's electricity distribution grid in San Francisco.
10/9/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

011816 **[Airport Security]**
Supervisor Ammiano

Hearing to examine Airport security at San Francisco International Airport.
10/9/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

011817 **[DHS Unemployment Programs and Workers Assistance]**
Supervisors Daly, Sandoval

Hearing to discuss ways that Department of Human Services can assist our City's workers.
10/9/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

011819 **[Witness Protection and Gang-Related Shootings]**
Supervisor Daly

Hearing to discuss efforts of the Police Department to investigate and the District Attorney to prosecute gang-related violence, specifically focused on strategies to identify, retain and protect witnesses.
10/9/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

011820 **[1790 Post Street]**
Supervisor Gonzalez

Hearing on the current status and future plans for 1790 Post Street, which was formerly the site of the Japantown Bowl, and the parking lot adjacent to this site which are within the San Francisco Redevelopment Agency's A-2 project area.
10/9/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011821 **[Parking Lot Revenue Control and Collection]**
Supervisor Leno

Hearing requesting an update on the City's efforts to implement and enforce its new parking lot revenue control equipment and collection legislation.
10/9/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011834 [Park Bond Monies]
Supervisor Yee

Hearing to address the progress of Parks Improvement Projects funded by Propositions A and C. The hearing will address the monies already received by the Recreation and Park Department with emphasis on how these funds have actually been expended and budgeted.
10/9/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

Motions

011787 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Clerk of the Board)
10/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011835 **[Falun Gong Practitioners]**
Supervisor Daly

Motion directing the Clerk of the Board to send a statement to the Consul General of China expressing the Board of Supervisors' deep concern about human rights abuses of Falun Gong practitioners.
10/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011836 **[Public Comment on Mayor's Proposed Annual Budget]**
Supervisor McGoldrick

Motion changing Rule of the Board of Supervisors to provide for review and comment by the public of the Mayor's proposed annual budget prior to action by the Board of Supervisors on items within the budget.
10/9/01, RECEIVED AND ASSIGNED to Rules Committee.

011837 **[Performance Audits, City Programs]**
Supervisor McGoldrick

Motion establishing process and schedule for performance audit of City programs.
10/9/01, RECEIVED AND ASSIGNED to Rules Committee.

011838 **[City Department Budgets]**
Supervisor McGoldrick

Motion establishing process for review of City Department Budgets by various Committees of Board of Supervisors.
10/9/01, RECEIVED AND ASSIGNED to Rules Committee.

011839 **[Office of Legislative Analyst]**
Supervisor McGoldrick

Motion setting priority on budget policy analysis for Office of Legislative Analyst.
10/9/01, RECEIVED AND ASSIGNED to Rules Committee.

011840 **[Budget Analyst Update of 1994 on Homeless Population]**
Supervisor Newsom

Motion directing the Office of the Budget Analyst to update its 1994 Report on the cost of direct services provided to the homeless population in the City and County of San Francisco.
10/9/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

011780 **[Settlement of Lawsuit]**
Ordinance authorizing settlement of the attorneys' fees and costs in the matter of Tayac v. City and County of San Francisco for $99,500. The lawsuit was filed on September 26, 1995, in United States District Court, Case No. C95-3424 CAL; entitled Tayac v. City and County of San Francisco, et al. (City Attorney)
10/3/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

011782 **[Underground District in the Mission Bay Area]**
Ordinance creating Underground District No. 358 in the Mission Bay Area. (Public Works Department)

(District 10)
(Supervisor Sandoval dissenting in Committee.)
10/3/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

011783 **[Modifying Underground District No. 355]**
Ordinance amending Ordinance No. 333-99 to redefine Underground District No. 355 in the Third Street and Bayshore Boulevard area by adding certain property thereto. (Public Works Department)

(District 10)
(Supervisor Sandoval dissenting in Committee.)
10/3/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

PROPOSED RESOLUTIONS

011736 **[Accept-Expend Federal Grant]**
Supervisor Sandoval

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of $25,818 for the year 2000 and $15,318 for the year 2001 from the U.S. Department of Justice under the Bulletproof Vest Partnership Act to equip law enforcement officers in the Sheriff's Department and the Office of the District Attorney with armor vests. (Sheriff)
9/28/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

011737 **[Water Pipeline Replacement]**
Resolution authorizing the execution and performance of an Exchange Agreement with the City of Brisbane relating to the replacement of Crystal Springs Pipeline Number 1. (Real Estate Department)
10/3/01, RECEIVED AND ASSIGNED to Finance Committee.

011738 **[Easement Exchange - Niles Reservoir in the City of Fremont]**
Resolution authorizing the exchange of easements in the Niles District of the City of Fremont thereby allowing public street access to San Francisco Public Utilities Commission Niles Reservoir Property, Alameda County Water District Property and George Emmett Revocable Trust Property, and authorizing the execution of a quitclaim deed vacating a portion of the interest of the San Francisco Public Utilities Commission in an existing tunnel easement encumbering adjacent properties. (Real Estate Department)
10/3/01, RECEIVED AND ASSIGNED to Finance Committee.

011770 **[Accept and Expend Federal Grant]**
Mayor

Resolution authorizing the Mayor of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $2,150,710 from the U.S. Department of Justice, Bureau of Justice Assistance, to administer the Local Law Enforcement Block Grant Program. (Mayor)
10/3/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

011771 **[Recurring FY2001-2002 State grant funds to the Department of Public Health from the California Department of Health Services]**
Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY 2001-2002. (Public Health Department)
10/2/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

011775 **[Water Contract Amendments, Cities of East Palo Alto and Menlo Park]**
Resolution approving contract amendments to water supply contracts between the San Francisco Public Utilities Commission and the Cities of East Palo Alto and Menlo Park (Public Utilities Commission)
9/27/01, RECEIVED AND ASSIGNED to Finance Committee.

011781 **[Occupation of McAllister Street and Fulton Street during the construction operations at 1750 Fulton Street]**

Resolution granting revocable permission to Roberts-Obayashi Corporation to temporarily close and occupy a portion of the sidewalk and parking lane for a nine (9) month period on the south side of McAllister Street, between Masonic and Central Avenues and one westbound traffic lane on Fulton Street with intermittently closure of the north sidewalk between Masonic and Central Avenue during construction operations at 1750 Fulton Street (Block 1175, Lot 010). (Public Works Department)

(District 5)

10/3/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

Requests Granted

Requests Granted
From: Supervisor Ammiano
To: Director, Redevelopment Agency
Requesting/Inquiring: To forward any and all information pertaining to the Redevelopment Agency Commission's vote of October 2, 2001 rejecting exclusive negotiations with TODCO-A Inc. for the development of 115 units of affordable housing for very low income individuals.

From: Supervisors Daly, Sandoval
To: City Attorney
Requesting/Inquiring: To draft legislation based on the District of Columbia's $100 Million Assistance program for local business.
Due: October 15, 2001

From: Supervisor Gonzalez
To: City Attorney
Requesting/Inquiring: To draft legislation providing for a single turn lane onto Masonic Street from Oak Street, removing a second turn lane.

From: Supervisor Gonzalez
To: City Attorney
Requesting/Inquiring: To draft legislation providing for a permitting process for parking spaces on Middle Drive East and Bowling Green Drive south of Middle Drive East for use by persons using the Conservatory in Golden Gate Park on Saturdays and Sundays.

From: Supervisor Hall
To: Director, Port Authority
Requesting/Inquiring: To provide a general summary of all lease holdings on all Port property. Specifically, who the current titleholders are at each pier, how much time remains on each lease, and whether or not the Port anticipates any changes to the various leases within the next year.

From: Supervisor Hall
To: City Attorney
Requesting/Inquiring: To draft an ordinance, or perhaps a Board Rule, that would require the Clerk of the Board to print the total cost of each item on the summary line of each Committee and each Board agenda. For example, on the 10/9 agenda, at the end of the one sentence summary for Item #3, it would read "Budget Impact = $20,000," and on Item #5, it would read "Budget Impact - gain of $9,753,765".

From: Supervisor Maxwell
To: Director, Department of Administrative Services
Requesting/Inquiring: To determine how the City's emergency messages, such as City Hall evacuation messages, can be broadcast in multiple languages.

From: Supervisor Peskin
To: City Attorney
Requesting/Inquiring: To investigate alleged misconduct by a San Francisco Planning Commissioner regarding the solicitation of campaign contributions from individuals currently having business before the Planning Commission and refer this to the District Attorney or State Attorney General if necessary. Furthermore, if misconduct did in fact occur, Supervisor Peskin requests the City Attorney to determine whether any items recently addressed by the Planning Commission must be revisited as a result of this misconduct.

From: Supervisor Sandoval

To: City Attorney
Requesting/Inquiring: To draft legislation prohibiting predatory lending practices for home loans in the City of San Francisco and to base that ordinance on legislation passed by the Oakland City Council on October 2, 2001.

From: Supervisor Sandoval
To: General Manager, Muni
To: General Manager, Metropolitan Transportation Commission
To: Executive Director, Transportation Authority
Requesting/Inquiring: To report on the status of the Bay Area Air Quality Management District "Ozone Attainment Plan" and efforts the MTC is taking to meet federal air quality standards.

From: Supervisor Sandoval
To: Executive Director, Department of Parking and Traffic
Requesting/Inquiring: To report on the feasibility of establishing a bike lane on Alemany Boulevard between Lyell Street and Sickles Ave. Requesting that the Department's study include traffic counts during peak and off peak hours, possible state and federal funding grants available in the event that the City's budget cannot cover the expense, a list of bike lanes currently in District 11, measurements of street width along Alemany Boulevard, and a detailed description of the process and timeline for implementation of this project.
Due: Within one month of this letter's receipt.

In Memoriams

Gellu Naum (Supervisor Gonzalez)
Johnathan Pulliam (Supervisor Daly)
Hattie Lee Fields (Supervisor Maxwell)
David Flower (Supervisor Leno)
Jesse E. Williams III, (By the entire Board)
Rama Kellum, (By the entire Board)

ADJOURNMENT

There being no further business, the Board at the hour of 6:39 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 3, 2001.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited

Gloria L. Young
Clerk of the Board

5/01

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT
FEB 2 6 2002
SAN FRANCISCO
PUBLIC LIBRARY

Monday, October 15, 2001 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Audit, Labor and Government Efficiency Committee Supervisors Newsom, Daly, McGoldrick	2nd & 4th Tuesday 1:00 PM
City and School District Committee Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar	Call of the Chair
Economic Vitality, Small Business and Social Policy Committee Supervisors Sandoval, Newsom, Maxwell	1st & 3rd Tuesday 10:00 AM
Finance Committee Supervisors Leno, Peskin, Gonzalez	Wednesday 10:00 AM
Housing, Transportation and Land Use Committee Supervisors McGoldrick, Daly, Peskin	2nd & 4th Thursday 10:00 AM
Neighborhood Services and Parks Committee Supervisors Yee, Hall, Sandoval	1st & 3rd Tuesday 1:00 PM
Public Health and Environment Committee Supervisors Maxwell, Yee, Leno	2nd & 4th Tuesday 10:00 AM
Public Utilities and Deregulation Committee Supervisors Daly, Gonzalez, Ammiano	Call of the Chair
Rules Committee Supervisors Gonzalez, Hall, Ammiano	1st & 3rd Thursday 1:00 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 96 Number 40

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Sandoval, Daly - 2.

Quorum present.

Supervisor Sandoval was noted present at 2:02 p.m.

Supervisor Daly was noted present at 2:03 p.m.

APPROVAL OF MEETING MINUTES

Motion to approve the October 9, and October 15, 2001, Meeting Minutes.

Supervisor Leno, seconded by Supervisor Newsom, moved to approve the August 27, 2001 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

AGENDA CHANGES

COMMUNICATIONS

Presentation by Dr. Sandra Nathan, Executive Director, Department of Aging and Adult Services.

Rick Zawadski from RTZ Associates gave an overview of work being done with the Department of Aging and Adult Services.

Introduction of Guests

Supervisor Daly introduced, welcomed and presented a commendation to Conrad del Rosio.

President Ammiano introduced Mrs. Jacobson and stated that a pre-cancer , Avon breast cancer screening was held at San Francisco General Hospital on October 9, 2001.

Supervisor Newsom introduced, welcomed and presented a commendation on behalf of the San Francisco Fire Department to Chief Trevino, San Francisco Fire Department . Lt. Patrick Gardner and Kevin Solis, San Francisco Fire Department.

CONSENT AGENDA

Items 1 through 10

Recommendations of the Audit, Labor and Government Efficiency Committee

011614 **[Settlement of Legal Proceeding]**
Ordinance authorizing settlement of an administrative penalty conditionally imposed by the Department of Public Works on Adesta Communications, Inc. (City Attorney)

PASSED, ON FIRST READING

011670 **[Settlement Of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Desiree Hamaoui against the City and County of San Francisco for $60,000; the lawsuit was filed on September 20, 2000, in San Francisco Superior Court, Case No. 315-230; entitled Desiree Hamaoui v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

011717 **[Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Otto Arndt and Karl Heinz Arndt against the Estate of Zygmunt Arendt for payment of $950,000 plus federal or state estate taxes, if any, to the contestants from the Estate of decedent Zgymunt Arendt; the lawsuit was filed on October 28, 1998 in San Francisco Superior Court, Case No. 270331; entitled Otto Arndt and Karl Heinz Arndt v. Ricardo Hernandez. (City Attorney)

PASSED, ON FIRST READING

011739 **[Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Claude Reissner against the City and County of San Francisco for $150,000.00; the lawsuit was filed on 6/27/00 in United States District Court, Northern District, Case No. C00-1739(SBA); entitled Claude Reissner, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

010828 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Khary Butler against the City and County of San Francisco for $50,000.00; the lawsuit was filed on March 19, 1998 in San Francisco Superior Court, Case No. 993-756; entitled Khary Butler, et al., v. City and County of San Francisco, et al; there are no other material terms to said settlement. (City Attorney)

PASSED, ON FIRST READING

011668 **[Contingent Fee Agreement in Qui Tam Case re Substandard Waterworks Parts]**

Supervisor Leno

Resolution approving Contingency Fee Agreement in California ex rel. Nora Armenta v. James Jones Co., et al. (Los Angeles Superior Court No. BC 173487). (City Attorney)

Resolution No. 793-01
ADOPTED

Recommendation of the Housing, Transportation and Land Use Committee

011555 **[Changing Official Width of Sidewalk]**

Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" is amended by adding thereto Section No. 1551 Changing the Official Sidewalk Width on a Portion of Front Street between Sacramento and California Streets, as shown on Department of Public Works drawing labeled Q-20-514 and making findings pursuant to City Planning Code Section 101.1. (Public Works Department)

Ordinance No. 210-01
FINALLY PASSED

Recommendation of the Public Health and Environment Committee

011725 **[Estimating Unmet Need for Primary Care]**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into a subcontract agreement in the amount of $20,000 with the Regents of the University of California, AIDS Research Center (UCARC) to collaborate in efforts to assess unmet needs for primary care by persons receiving AIDS services in San Francisco; for the period of April 10, 2001 to April 9, 2002. (Public Health Department)

Resolution No. 799-01
ADOPTED

Recommendation of the Rules Committee

011603 **[Appointment]**

Resolution appointing Richard Charles Shadoian, Barbara Meskunas, Vito Corcia, and Melissa Dodd, terms to be determined, to the Citizens Advisory Committee on Elections. (Clerk of the Board)

Richard Charles Shadoian, new position, seat 1, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections (must also be nominated by a citizens group interested in civic participation and/or fair elections), for a new four-year term (ending date to be determined via drawing);
Barbara Meskunas, new position, seat 2, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections (must also be nominated by a citizens group interested in civic participation and/or fair elections), for a new four-year term (ending date to be determined via drawing);
Vito Corcia, new position, seat 3, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections, for a new four-year term (ending date to be determined via drawing);
Melissa Dodd, new position, seat 4, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections, for a new four-year term (ending date to be determined via drawing).

Resolution No. 789-01
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Severed from Consent Agenda

011565 **[Settlement of Claim]**

Resolution approving settlement of the unlitigated claim of the United States Environmental Protection Agency in an amount not to exceed $180,000 for payment of costs of responding to contamination at Casmalia Resources Hazardous Waste Disposal Site. (City Attorney)

10/15/01 -Amended. Supervisor Peskin moved to amend on Page 1, line 25 to delete "Public Utilities Commission: 42%".
AMENDED.

Resolution No. 787-01
ADOPTED AS AMENDED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Audit, Labor and Government Efficiency Committee

011167 **[MTBE Purchase Ban]**
Supervisors Newsom, Daly, McGoldrick, Sandoval, Leno, Peskin, Maxwell

Ordinance amending San Francisco Administrative Code by adding Chapter 12S prohibiting the bulk purchase of gasoline and/or other motor vehicle fuel containing MTBE by City Departments, effective January 1, 2002.

(Fiscal impact.)

10/15/01 - Supervisor Newsom, seconded by Supervisor Leno moved to amend on Page 1, line 21 by deleting "There are available alternative oxygenates, such as ethanol, which may be used in place of MTBE in compliance with the federal Clean Air Act, and provide equivalent air quality benefits". On Page 2, line 2, replace "development and marketing of alternative oxygenates" with "marketing of non MTBE gasoline". AMENDED.

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

Recommendation of the Economic Vitality, Small Business and Social Policy Committee

010778 **[Campaign and Governmental Conduct Code, Mass Mailings]**
Supervisors Leno, Newsom, Peskin, Maxwell

Ordinance amending Article I, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code by adding Section 1.161 to require candidates who pay for mass mailings to identify themselves on the mailings with a "paid for by" designation, and file a copy of the mass mailing along with an itemized disclosure statement with the San Francisco Ethics Commission.

Ordinance No. 211-01
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Housing, Transportation and Land Use Committee

011114 [Zoning Map Amendment, 525 Golden Gate]
Supervisor Ammiano

Ordinance amending Zoning Map Sheet 2H of the City and County of San Francisco for property located at 525 Golden Gate Avenue, Lot 1 in Assessor's Block 766, to change the height district classification from 130E to 200L; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the eight Priority Policies of Planning Code Section 101.1.

Ordinance No. 208-01
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Daly

011115 [General Plan Amendment, 525 Golden Gate]
Supervisor Ammiano

Ordinance amending the San Francisco General Plan in connection with approval of a City Administrative Building; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the eight Priority Policies of Planning Code Section 101.1.

(Planning Commission Resolution #16212 adopting findings pursuant to CEQA dated 8/23/01; Planning Commission Resolution #16213 adopting General Plan amendment findings dated 8/23/01; Planning Commission Resolution #16214 adopted 8/23/01 recommending the proposed amendment; Planning Commission Resolution #16215 adopted 8/23/01 amending the Urban Design Element of the General Plan; Planning Commission Resolution #16216 adopting findings that the shadow impact will be insignificant.)
(9/24/01 in Board: Supervisor Ammiano submitted a substitute ordinance bearing same title.)
(Supervisor Daly dissenting in Committee.)

Ordinance No. 209-01
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Daly

Recommendation of the Neighborhood Services and Parks Committee

011410 [Loitering At or Near Automatic Public Toilets]
Supervisor Hall

Ordinance amending Part II, Chapter VIII, Article 2 of the San Francisco Municipal (Police) Code by adding Section 124-124.6 to prohibit more than one person from entering or remaining in an automatic public toilet at one time and to prohibit loitering at or near automatic public toilets.

10/15/01 - Supervisor Leno, seconded by Supervisor Newsom moved to amend to change "20 feet" to "10 feet" wherever it appears.
AMENDED.

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

NEW BUSINESS

Recommendation of the Audit, Labor and Government Efficiency Committee

011619 **[MOU Amendment No. 1, Automotive Machinists Local 1414]**

Ordinance adopting and implementing Amendment No. 1 to the 2001-2003 Collective Bargaining Agreement between the Automotive Machinists, Local 1414 and the City and County of San Francisco by amending Article III.C., part 6, correcting a clerical error by deleting the Standby Pay provision. (Human Resources Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Finance Committee

011566 **[Sewer Emergency]**

Resolution approving the expenditure of funds in the amount of $272,846 to construct a new sewer on Tennessee Street from Cesar Chavez Street to midway toward 26th Street and on Cesar Chavez Street from 3rd Street to Tennessee Street. (Public Utilities Commission)

(Fiscal impact.)

Resolution No. 788-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Appointment of President Pro Tempore

At the request of the President, Supervisor Daly assumed the Chair so the President could participate in the debate from the floor concerning the following item.

011642 **[Pedestrian Safety and Street Resurfacing General Obligation Bonds]**
Supervisors Ammiano, Sandoval, Maxwell

Resolution determining and declaring that the public interest and necessity demand the financing of street resurfacing, curb ramp construction, sidewalk improvement and street structure improvement projects and all other aspects necessary or convenient for the foregoing purposes, that the estimated cost of $150,000,000 is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness.

(Supervisor Gonzalez dissenting in Committee.)
(Fiscal impact.)

Fails adoption by the following vote:

Ayes: 7 - Ammiano, Daly, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 4 - Gonzalez, Hall, Newsom, Yee

011649 **[Agreement to convey former Central Freeway Parcels to Redevelopment Agency]**
Mayor

Resolution approving and authorizing an agreement with the Redevelopment Agency of the City and County of San Francisco for the sale and grant of an option to purchase certain real property formerly occupied by the Central Freeway for the purpose of affordable housing; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's general plan and eight priority policies of City Planning Code section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution. (Mayor)

Supervisor Peskin, seconded by Supervisor Leno moved to continue to October 22, 2001.

CONTINUED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011650 **[Agreement to sell and exchange former Centeral Freeway parcels]**
Mayor

Resolution approving and authorizing agreements for the sale at fair market value and for the exchange of certain real property formerly occupied by the Central Freeway; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's general plan and eight priority policies of City Planning Code section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution. (Mayor)

10/15/01 - Supervisor Peskin, seconded by Supervisor McGoldrick moved to amend on Page 5, line 6, after "City" insert "and increase the amount of land".

AMENDED.

Resolution No. 790-01

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011651 **[Development strategy and issuance of RFPs]**
Mayor

Resolution endorsing the strategy for development of certain real property formerly occupied by the Central Freeway and the issuance of requests for proposals. (Mayor)

Resolution No. 791-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011664 **[Acquisition - Noise Easements]**

Resolution authorizing the acquisition of seventy (70) noise easements for sixty nine (69) properties in South San Francisco and one (1) in the unincorporated area of the County of San Mateo as part of the San Francisco Airport's Noise Insulation Program. (Real Estate Department)

Resolution No. 792-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011669 **[Public Utilities Commission Land Exchange]**

Resolution approving an exchange of pipeline easement land with Hayward-Oliver Owners, LLC related to property located in the City of Hayward, County of Alameda, State of California, and authorizing the quitclaim of the interest of the City and County of San Francisco in a strip of land 20 feet wide located along the westerly side of an existing easement area, in exchange for a grant of easement rights in a similar strip of land 20 feet wide located along the easterly side of the existing easement area plus certain additional surface use rights to City, and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

Resolution No. 794-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendation of the Public Health and Environment Committee

011724 **[State Grant - Supportive Housing Initiative Act]**

Supervisor Leno

Resolution authorizing the Department of Human Services to accept retroactively and expend a grant in the amount of $3,000,000 from the California Department of Mental Health Supportive Housing Initiative Act. (Human Services Department)

Resolution No. 798-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Rules Committee

011674 **[Appointment]**

Resolution appointing Supervisor Aaron Peskin, term ending January 31, 2003, to the Mental Health Board.

Supervisor Aaron Peskin, succeeding Sue Bierman, seat 17, must be a member of the Board of Supervisors, for a new two year term ending January 31, 2003.

Supervisor Leno, seconded by Supevisor Hall moved to excuse Supervisor Peskin.

Resolution No. 795-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Sandoval, Yee
Excused: 1 - Peskin

011711 **[Appointment]**

Resolution appointing Supervisor Leland Yee, term ending November 28, 2002, as a member to the California State Association of Counties Board of Directors.

Supervisor Leno, seconded by Supervisor Peskin moved to excuse Supervisor Yee.

Resolution No. 796-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Yee

011712 **[Appointment]**

Resolution appointing Supervisor Jake McGoldrick, term ending November 28, 2002, as an alternate member to the California State Association of Counties Board of Directors.

Supervisor Leno, seconded by Supervisor Yee moved to excuse Supervisor McGoldrick.

Resolution No. 797-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Excused: 1 - McGoldrick

011728 **[Nomination of County Veterans Service Officer]**

Resolution confirming the nomination of Lt. Col. Wallace Levin, CSMR (Ret.) as County Veterans Service Officer. (Adult and Aging Services)

Resolution No. 800-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 1 - McGoldrick

011477 **[Amending Agreement with Budget Analyst - Performance Audit]**
Supervisor McGoldrick

Motion amending the Agreement for Professional Budget Analyst Services between the City and County of San Francisco and Stanton W. Jones and Associates; Debra A. Newman; Rodriguez, Perez, Delgado & Company Certified Public Accountants; Harvey M. Rose Accountancy Corporation Certified Public Accountants, and Louie & Wong LLP Certified Public Accountants "A Joint Venture" to provide for an expanded level of Budget Analyst services during Fiscal Year 2001-2002 to conduct a performance audit of the Planning Department, to be completed by April 15, 2002.

Motion No. M01-152

APPROVED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011479 **[Amendment to Budget Analyst Contract to Exercise Two-Year Option]**

Motion approving exercising the second option set forth in the agreement for professional budget analyst services between the Board of Supervisors and Stanton W. Jones and Associates/Debra A. Newman/Rodriguez, Perez, Delgado & Company Certified Public Accountants/Harvey M. Rose Accountancy Corporation Certified Public Accounts/Louie & Wong LLP Certified Public Accountants - a Joint Venture, to extend the term of the Agreement from January 1, 2002 to December 31, 2003. (Clerk of the Board)

Motion No. M01-153

APPROVED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

011730 **[Hearing - Ground Lease of Redevelopment Agency Land for Namiki Apartments]**

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City And County of San Francisco's lease of land at Assessor's Block 675, Lot 49, commonly known As 1776 Sutter Street, to Namiki Apartments, L.P., for 50 Years for the purpose of preserving a housing development for very low and low income households. (Clerk of the Board)

Alison Lee, Housing Manager, Redevelopment Agency;
Female speaker, in support of project;
Susan Wong, Director, Chinatown Community Development Corporation.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

Committee of the Whole Rise and Report Without Recommendation

From Redevelopment Agency

011731 **[Ground Lease of Redevelopment Agency Land for Namiki Apartments]**
Mayor

Resolution approving the Redevelopment Agency of the City And County of San Francisco's lease of land at Assessor's Block 675, Lot 49, commonly known as 1776 Sutter Street, to Namiki Apartments, L.P., for 50 Years for the purpose of preserving a housing development for very low and low income households. (Mayor)

Resolution No. 786-01

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Yee
Absent: 2 - McGoldrick, Sandoval

PUBLIC COMMENT

Rose Pak, opposed to Falun Gong;
Alicia Jorvol, supports Falun Gong;
Male speaker, opposed to Falun Gong;
Male speaker, supports Falun Gong;
Lian Nemar, opposed to Falun Gong;
Sheri Jung, supports Falun Gong;
Sam Lew, opposed to Falun Gong;
Stephanie Nemack, opposed to Falun Gong;
Bong Chiu, opposed to Falun Gong;
Female speaker, supports Falun Gong;
Jaing Lee, opposed to Falun Gong;
Male speaker, supports Falun Gong;
Albert Chin, opposed to Falun Gong;
Female speaker, supports Falun Gong;
Dejong Wong, opposed to Falun Gong;
Abdalla Megahed, homelessness.

CLOSED SESSION

THREAT TO PUBLIC SERVICES OR FACILITIES

011769 **[Closed Session - Potential Threats to Public Services]**
Supervisor Leno

Motion that the Board of Supervisors convene in closed session with Chief of Police Lau, Fire Chief Trevino, Sheriff Hennessey, and the Airport and Water Departments to discuss potential threats to public services or facilities.

This closed session would be permitted by Government Code Sections 54954.5 and 54957 and the San Francisco Administrative Code Sections 67.8(a)(4) and 67.10(a).

Supervisor Leno, seconded by Supervisor Newsom moved to continue to October 22, 2001, Special Order at 5:00 p.m.

CONTINUED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 36 through 51

011803 **[Supporting Bargaining Goals of the California Faculty Association]**
Supervisor Ammiano

Resolution supporting the bargaining goals of the California Faculty Association in their current troubled negotiations with the California State University.

Resolution No. 801-01
ADOPTED

011804 **[Artwork Honoring Harvey Milk]**
Supervisors Gonzalez, Leno, Ammiano, Maxwell, Sandoval, Daly, Peskin, Newsom, Yee, McGoldrick, Hall

Resolution urging the Arts Commission to solicit and the City Hall building manager to determine an appropriate location for the installation of a permanent piece of artwork honoring Supervisor Harvey Milk in San Francisco City Hall.

Resolution No. 802-01
ADOPTED

011805 **[Barry Bonds Day]**
Supervisors Hall, Daly

Resolution proclaiming October 27, 2001 "Barry Bonds Day" in the City and County of San Francisco.

Resolution No. 803-01
ADOPTED

011806 **[Urging Enactment of SB 71]**
Supervisors Leno, Peskin, Newsom

Resolution urging California Governor Gray Davis to sign SB 71, Senator John Burton's Worker's Compensation bill.

Resolution No. 813-01
ADOPTED

011807 **[Urging High Speed Rail Authority]**
Supervisors Leno, Maxwell

Resolution endorsing the Caltrain Corridor Alignment and Transbay Terminal Station for program-level environmental review by the California High Speed Rail Authority, supporting completion of the Program Environmental Impact Report/Environmental Impact Statement (EIR/EIS), and urging the California High Speed Rail Authority to work with the City and County of San Francisco and other agencies to identify and evaluate alternatives for a new Transbay Intercity Rail Crossing and direct San Francisco-Oakland-Sacramento High Speed Rail service.

Resolution No. 804-01
ADOPTED

011808 **[Endorsing California Passenger Rail 20 Year Plan]**
Supervisors Leno, Maxwell

Resolution endorsing the California Passenger Rail 20-Year Improvement Plan.

Resolution No. 805-01
ADOPTED

011809 **[Establishing a City Contracting Task Force]**
Supervisor Maxwell

Resolution establishing a City Contracting Task Force to review and make recommendation to the Board on possible legislative and budgetary actions relating to the City's policies and practices regarding contracting vital human health, safety, and affordable housing services with non-profit organizations.

Resolution No. 806-01
ADOPTED

011810 **[USDA Resource Conservation and Development Program]**
Supervisor Maxwell

Resolution co-sponsoring an application to the USDA Resource Conservation and Development program (RC&D) for the City and County of San Francisco.

Resolution No. 807-01
ADOPTED

011811 **[Recognizing San Francisco Neighborhood Merchants]**
Supervisors Yee, Newsom

Resolution establishing the ongoing recognition of San Francisco's Neighborhood Merchants contributions to the economy and employment opportunities for San Francisco residents.

Resolution No. 808-01
ADOPTED

011812 **[Commending - Jack Hirschman]**
Supervisors Gonzalez, Peskin, Newsom

Resolution commending and congratulating Jack Hirschman on his many accomplishments and on the occasion of his 68th birthday, December 13, 2001.

Resolution No. 809-01
ADOPTED

011813 **[Commending - Barry Lamar Bonds]**
Supervisors Newsom, Daly

Resolution commending San Francisco Giants team member, Barry Lamar Bonds, for his recent record breaking year, and specifically for breaking the single season home run record.

Resolution No. 810-01
ADOPTED

011787 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Clerk of the Board)

Motion No. M01-154
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Severed for Adoption Without Committee Reference

011754 **[Community Courts Working Group]**
Supervisors Newsom, Daly, McGoldrick

Resolution creating a Community Courts Working Group to be comprised of various stakeholders with the charge of making recommendations to the Mayor and the Board of Supervisors and setting forth the membership and duties of the working group.

Supervisor Newsom moved to continue to October 29, 2001.
CONTINUED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011814 **[Commending - Department of Elections]**
Supervisor Sandoval

Resolution commending the Department of Elections for holding its Midnight Madness Event on October 9, 2001 to encourage voter participation in the election process.

Resolution No. 811-01
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011835 **[Falun Gong Practitioners]**
Supervisor Daly

Motion directing the Clerk of the Board to send a statement to the Consul General of China expressing the Board of Supervisors' deep concern about human rights abuses of Falun Gong practitioners.

NOT approved by the following vote:
Ayes: 3 - Ammiano, Daly, Gonzalez
Noes: 8 - Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011840 [Budget Analyst Update of 1994 on Homeless Population]
Supervisor Newsom

Motion directing the Office of the Budget Analyst to update its 1994 Report on the cost of direct services provided to the homeless population in the City and County of San Francisco.

Supervisor Daly, seconded by Supervisor Newsom moved to refer to Committee.
REFERRED to the Audit, Labor and Government Efficiency Committee.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

011868 **[MOU - Fire Fighters, Local 798, Unit 2]**
Mayor, Supervisors Daly, Newsom, Ammiano, Leno, Peskin

Ordinance adopting and implementing the provisions of a Memorandum of Understanding between the San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO Unit 2 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003. (Mayor)

(Fiscal impact.)
10/15/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

011843 **[MOU - Fighters, Local 798, Unit 1]**
Mayor, Supervisors Daly, Newsom, Ammiano, Leno, Peskin

Ordinance adopting and implementing the provisions of a Memorandum of Understanding between the San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO Unit 1 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003. (Mayor)

(Fiscal impact.)
10/15/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

011844 **[Reporting Late Campaign Contributions]**
Supervisor Leno

Ordinance amending Article 1 of the San Francisco Campaign and Governmental Conduct Code by amending Section 1.104 to define the term "late contribution," and amending Section 1.152 to require both late contributors and the recipients of late contributions report late contributions within 24 hours of the time the contributions are made or received.
10/15/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/14/2001.

011845 **[Repeal Police Code Sections]**
Supervisor Leno

Ordinance amending the San Francisco Police Code to repeal the following provisions thereof: Sections 6, 7, 12, 51.1, 51.2, 92, 93, 94, 115, 141, 142, 147, 152, 168, 169, 170, 171, 176, 177, 182, 183, 193, 194, 199, 205, 210, 215, 231, 241, 242, 243, 244, 245, 246, 247, 248, 265, 266, 270, 271, 272, 299, 300, 305, 310, 315, 320, 748, 764, 765 and 776.
10/15/01, ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Parks Committee, expires on 11/14/2001.

011846 **[Immigrant Rights Commission]**
Supervisor Hall

Ordinance amending the San Francisco Administrative Code by amending Section 5.201 to require that at least one member of the Immigrant Rights Commission be proficient in a language in which a City department is required to provide written translated materials pursuant to the Equal Access to Services Ordinance.
10/15/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/14/2001.

011847 **[Prohibiting former members of Board of Supervisors from lobbying]**
Supervisors Peskin, Ammiano, Gonzalez, Newsom, Daly

Ordinance amending San Francisco Campaign and Governmental Conduct Code by adding Section 3.545 to prohibit former members of the Board of Supervisors from lobbying any governmental body, officer, employee, appointee or representative of the City and County for two years after leaving office.
10/15/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/14/2001.

011848 **[New Deadline for Submission of Budget to Board of Supervisors]**
Supervisors McGoldrick, Daly

Ordinance amending Administrative Code Sections 3.3 and 3.4 to require the Mayor to submit the proposed budget to the Board of Supervisors by April 30 for the 2002-2003 budget, and by February 28 of each year for subsequent budgets, and revising the deadlines for City departments to submit budgets to the Controller, and for the Controller to submit the consolidated budget to the Mayor, in order to reflect the new deadlines for submission to the Board of Supervisors.
10/15/01, RECEIVED AND ASSIGNED to Rules Committee.

Resolutions

011849 **[Street Artists - Temporary Spaces]**
Supervisors Ammiano, Peskin, Maxwell

Resolution designating temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for the winter holiday season, 2001, beginning on November 15, 2001 and ending on January 15, 2002.
10/15/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

011850 **[Commending Congresswoman Nancy Pelosi]**
Supervisors Daly, Newsom, Leno

Resolution commending Congresswoman Nancy Pelosi on the occasion of being elected Democratic Whip of the United States House of Representatives and extending the congratulations of the Board of Supervisors.
10/15/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

011851 **[Mandatory Minimum Federal Sentencing Guidelines]**
Supervisor Gonzalez

Resolution urging the United States Congress to repeal Mandatory Minimum Federal sentencing guidelines.
10/15/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

011852 **[Emergency Coverage - Crystal Springs]**
Supervisor Yee

Resolution urging the San Francisco Sheriff's Department and the San Francisco Public Utilities Commission to provide emergency coverage of the City's water supply at the Crystal Springs area.
10/15/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

011853 **[Lifeline Transit Network]**
Supervisors Leno, Daly, Peskin

Resolution supporting the creation of a regional lifeline transit network, urging the Metropolitan Transportation Commission (MTC) to complete the Lifeline Transit Network and fully fund its implementation in the Regional Transportation Plan (RTP) and urging MTC to adopt lifeline transportation measures for projects proposed for the Regional Transit Expansion Program (RTEP).
10/15/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011854 **[Transgender Resource Center]**
Supervisor Leno

Resolution supporting the creation of a transgender resource center by local non-profits who serve the lesbian, gay, bisexual and transgender communities.
10/15/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011855 **[Pesticide Product Labels]**
Supervisors Newsom, Leno

Resolution urging the United States Environmental Protection Agency (US EPA) to require that manufacturers and registrants of pesticide products fully disclose all inert ingredients on pesticide product labels.
10/15/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011856 **[Emergency 911 Wireless Communication Regulations]**
Supervisor Newsom

Resolution encouraging Thomas J. Surgrue, Chief of the Federal Communication Commission's (FCC) Wireless Telecommunications Bureau, to hold carriers, to the already established deployment schedule, to swiftly implement an accurate emergency location determination, in order for Emergency Medical Services (EMS) to achieve the short time intervals imperative to save lives.
10/15/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011857 **[Avon Foundation]**
Supervisors Peskin, Ammiano, Leno, Daly, Newsom, Maxwell

Resolution recognizing the generous contribution of $10 million by the Avon Products Foundation to expand women's health services in San Francisco and commending the San Francisco General Foundation for attracting this generous gift.
10/15/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011858 [Fisherman's Wharf Merchants Association]
Supervisors Peskin, Leno, Newsom, Hall, Maxwell

Resolution recognizing the unprecedented partnership between the Fisherman's Wharf Merchants Association and several City departments in refurbishing the Fisherman's Wharf area.
10/15/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011859 [Grant - Recreation and Park Department]
Supervisors Yee, Newsom

Resolution authorizing the Recreation and Park Department to accept and expend a grant in the total amount of $50,000 from the California Integrated Waste Management Board for the South Sunset Playground improvement project.
10/15/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011860 [Jennie A. Horn Day]
Supervisor Yee

Resolution proclaiming November 7, 2001 "Jennie A. Horn Day" in the City and County of San Francisco in honor of her retirement from the San Francisco Unified School District.
10/15/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011861 [Margaret Garza Wells Day]
Supervisor Yee

Resolution proclaiming November 7, 2001 "Margaret Garza Wells Day" in the City and County of San Francisco in honor of her retirement from the San Francisco Unified School District.
10/15/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011862 [Tourism Stimulus]
Supervisor McGoldrick

Resolution calling on the Mayor to pursue state funds to stimulate the local tourism economy; and inviting officials of major Asian cities to visit San Francisco.
10/15/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011863 [Commendation]
Supervisor Maxwell

Resolution commending Senator Martha Escutia on the passage of her bill SB 702, California Environmental Health Tracking System, to track links between chronic disease and the environment.
10/15/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011864 **[Commendation]**
Supervisors Newsom, Leno

Resolution commending the Precita Eyes Mural Arts and Visitors Center for providing 25 years of Community Mural Arts in the City and County of San Francisco, and its most recent mural project, The Flower Inside Us Grows.
10/15/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011865 **[Commendation]**
Supervisor Sandoval

Resolution commending Carlos Moreno on his appointment to the California Supreme Court.
10/15/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

011866 **[Staff Vacancies at the Dept. of Public Health]**
Supervisor Gonzalez

Hearing related to ongoing staff vacancies at the Department of Public Health.
10/15/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

Motions

011867 **[Legislative Analyst Request]**
Supervisor Newsom

Motion requesting the office of the Legislative Analyst to conduct a report on trash receptacles and the use of best practices in other cities.
10/15/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration October 22, 2001.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

011827 **[Lease with Japan Airlines Company, Ltd.]**
Resolution approving and authorizing the execution of a Lease with Japan Airlines Company, Ltd., for space in Plot 50B-1 Cargo Building. (Airport Commission)
10/9/01, RECEIVED AND ASSIGNED to Finance Committee.

011828 **[Public Utilities Commission State Loan]**

Resolution amending Resolution 720-99, which authorized the Public Utilities Commission to apply for and enter into loan agreements not to exceed $50 million for the reimbursement of prior expenditures incurred for the construction of the Islais Creek/Rankin Street Transport Storage Facilities and to apply such reimbursed monies to defease certain bonds of the Clean Water Enterprise, to also authorize the application of a portion of such reimbursed monies to fund certain capital projects of the Clean Water Enterprise. (Public Utilities Commission)

10/9/01, RECEIVED AND ASSIGNED to Finance Committee.

011829 **[Grant - Substance Abuse Services]**

Supervisors Leno, Newsom, Peskin

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of $1,105,000 from the Substance Abuse and Mental Health Services Administration (SAMHSA) and the Center for Substance Abuse Treatment (CSAT), for the period of August 1, 2001, to July 31, 2002. (Public Health Department)

10/9/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Department requests this item be calendared at the October 23, 2001 meeting.

Requests Granted

From: Supervisor Hall
To: Director, Ethics Commission
Requesting/Inquiring: What program does the Ethics Commission have for distributing its notices to various San Francisco groups?

From: Supervisor Maxwell
To: Director, Department of Public Health
Requesting/Inquiring: To report on the following:
1. Does the Department of Public Health currently have a tracking system to document links between chronic disease and environmental health hazards? If so, how does this tracking system work?
2. By 2003, California will have in place a statewide system to document possible links between environmental health hazards and chronic diseases. Will the Department of Public Health be prepared to participate and assist the state with this project?

From: Supervisors Newsom, McGoldrick
To: Chief, Police Department
To: Director, Department of Public Works
To: Director, Department of Human Services
To: Director, Department of Public Health
Requesting/Inquiring: That the Chief of Police and the Directors of the Department of Public Works, Human Services and Public Health draft a report of their findings pursuant to Board Resolution File 01-1411 (Automated Public Toilets and Kiosks) regarding the directive to consult with each other respectively in order to determine whether and to what degree outreach teams from these departments may be of assistance at problem Automatic Public Toilet sites as set forth in the resolution.

From: Supervisor Peskin
To: Director, Mayor's Budget Office
Requesting/Inquiring: To report on the City's current hold on financial allocations to local service providers. Specifically information on the parameters and timeframes governing this hold on allocations to service providers. Requesting that any plan to cut the City's current annual budget come before the Board of Supervisors for approval, to ensure that the Board retains policy oversight about the allocation of City funds, and that funding of local non-governmental groups, some of which are slated for promising first time programs, are not cut from the budget as a matter of course.

From: Supervisor Peskin
To: City Attorney
Requesting/Inquiring: To draft legislation to mandate that meeting agendas of City's Boards and Commissions outline relevant ethics rules and regulations, including both State and local mandates. that apply to interested parties expressing opinions before local decision making bodies.

From: Supervisor Sandoval
To: General Manager, Recreation and Park Department
Requesting/Inquiring: To report on the following information:
1. Current capital budget ~~for~~ all parks in District 11.
2. Budget amounts for general upkeep dedicated to parks in District 11.
3. A list of all expenditures for parks in District 11.
4. A list of all positions, identified by facility, filled and unfilled.
5. Results of any site visits to District 11 parks, if performed, as part of the Department's 1999 Assessment Project.

From: Supervisor Sandoval
To: City Attorney

To: Purchaser
Requesting/Inquiring: That the City Attorney's Office and the Purchaser provide information regarding any ordinance or law that requires City Departments to inform the Purchaser that a contract is going out to bid. Intent of request is to determine whether an ordinance or law needs to be written to establish a centralized site, web site or other, for notification on the bidding of city contracts.
Due: November 13, 2001

In Memoriams

Michele H. Neureuter (Supervisor Newsom)
Alfredo (Nonno) Pisciotta (Supervisors Newsom, Peskin)
David Lewis Gaines (Supervisor Daly)
Violet Keeperman (Supervisor Leno)

ADJOURNMENT

There being no further business, the Board at the hour of 5:53 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 3, 2001.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT
FEB 26 2002
SAN FRANCISCO
PUBLIC LIBRARY

Monday, October 22, 2001 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Audit, Labor and Government Efficiency Committee Supervisors Newsom, Daly, McGoldrick	2nd & 4th Tuesday 1:00 PM
City and School District Committee Supervisor Maxwell, Supervisor Ammiano. Commissioner Wynns. Commissioner Mar	Call of the Chair
Economic Vitality, Small Business and Social Policy Committee Supervisors Sandoval, Newsom, Maxwell	1st & 3rd Tuesday 10:00 AM
Finance Committee Supervisors Leno, Peskin, Gonzalez	Wednesday 10:00 AM
Housing, Transportation and Land Use Committee Supervisors McGoldrick, Daly, Peskin	2nd & 4th Thursday 10:00 AM
Neighborhood Services and Parks Committee Supervisors Yee. Hall, Sandoval	1st & 3rd Tuesday 1:00 PM
Public Health and Environment Committee Supervisors Maxwell, Yee. Leno	2nd & 4th Tuesday 10:00 AM
Public Utilities and Deregulation Committee Supervisors Daly, Gonzalez, Ammiano	Call of the Chair
Rules Committee Supervisors Gonzalez. Hall, Ammiano	1st & 3rd Thursday 1:00 PM

First-named Supervisor/Commissioner is Chair. Second-named Supervisor/Commissioner is Vice-Chair. of the Committee

Volume 96 Number 41

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisor was noted absent:

Supervisor Maxwell - 1.

Quorum present.

Supervisor Maxwell was noted present at 2:03 p.m.

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled or considered differently.

Supervisor Peskin indicated the matter relating to IHSS Contract Modification Approval - Addus Healthcare, File 011561. (See infra.)

Supervisor Ammiano indicated the matter relating to Storage Container Removal and Storage, File 011673. (See infra.)

COMMUNICATIONS

CONSENT AGENDA

Items 1 through 10

Recommendations of the Audit, Labor and Government Efficiency Committee

010828 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Khary Butler against the City and County of San Francisco for $50,000.00; the lawsuit was filed on March 19, 1998 in San Francisco Superior Court, Case No 993-756; entitled Khary Butler, et al., v. City and County of San Francisco, et al; there are no other material terms to said settlement. (City Attorney)

Ordinance No. 213-01
FINALLY PASSED

011614 **[Settlement of Legal Proceeding]**

Ordinance authorizing settlement of an administrative penalty conditionally imposed by the Department of Public Works on Adesta Communications, Inc. (City Attorney)

Ordinance No. 212-01
FINALLY PASSED

011619 **[MOU Amendment No. 1, Automotive Machinists Local 1414]**

Ordinance adopting and implementing Amendment No. 1 to the 2001-2003 Collective Bargaining Agreement between the Automotive Machinists, Local 1414 and the City and County of San Francisco by amending Article III.C., part 6, correcting a clerical error by deleting the Standby Pay provision. (Human Resources Department)

Ordinance No. 216-01
FINALLY PASSED

011670 **[Settlement Of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Desiree Hamaoui against the City and County of San Francisco for $60,000; the lawsuit was filed on September 20, 2000, in San Francisco Superior Court, Case No. 315-230; entitled Desiree Hamaoui v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 217-01
FINALLY PASSED

011717 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Otto Arndt and Karl Heinz Arndt against the Estate of Zygmunt Arendt for payment of $950,000 plus federal or state estate taxes, if any, to the contestants from the Estate of decedent Zgymunt Arendt; the lawsuit was filed on October 28, 1998 in San Francisco Superior Court, Case No. 270331; entitled Otto Arndt and Karl Heinz Arndt v. Ricardo Hernandez. (City Attorney)

Ordinance No. 218-01
FINALLY PASSED

011739 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Claude Reissner against the City and County of San Francisco for $150,000.00; the lawsuit was filed on 6/27/00 in United States District Court, Northern District, Case No. C00-1739(SBA); entitled Claude Reissner, et al., v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 219-01
FINALLY PASSED

Recommendation of the Economic Vitality, Small Business and Social Policy Committee

011770 **[Accept and Expend Federal Grant]**
Mayor

Resolution authorizing the Mayor of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $2,150,710 from the U.S. Department of Justice, Bureau of Justice Assistance, to administer the Local Law Enforcement Block Grant Program. (Mayor)

Resolution No. 827-01
ADOPTED

Recommendations of the Housing, Transportation and Land Use Committee

011439 **[Traffic Regulations, Various Streets]**
Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURNS, 7 AM - 9 AM AND 4 PM - 7 PM, EXCEPT SUNDAY - ESTABLISH
14th Avenue, southbound, at Fulton Street

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
7th Street, west side, from Market Street to 121 feet southerly (eliminates meters #4, #6, #8, #10, and #12)

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
23rd Street, north side, from Vermont Street to 100 feet westerly (100-foot zone)

TOW-AWAY, NO STOPPING, 3 PM - 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Pine Street, south side, from Sansome Street to 252 feet easterly (252-foot zone)

TOW-AWAY, NO STOPPING, 3 PM - 7 PM, MONDAY THROUGH FRIDAY - RESCIND
Pine Street, south side, from Sansome Street to 252 feet westerly (252-foot zone) (Parking and Traffic Department)

(DPT Order No. 2279.)

Resolution No. 817-01
ADOPTED

011557 **[Stop Intersections]**
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
10th Avenue and Kirkham Street, northeast and southwest corners, stopping Kirkham Street (makes this an all-way STOP)
Silliman and University Streets, northeast and southwest corners, stopping Silliman Street (makes this an all-way STOP) (Parking and Traffic Department)

(DPT Order No. 2295.)

Resolution No. 819-01
ADOPTED

Recommendation of the Neighborhood Services and Parks Committee

011556 [Acceptance of Street for Maintenance]

Ordinance accepting for purposes of maintenance Peters Avenue, subject to specified limitations, pursuant to California Streets and Highways Code Section 1806, San Francisco Administrative Code Section 1.52, and Department of Public Works Order No. 173,091. (Public Works Department)

(District 9)

PASSED, ON FIRST READING

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Audit, Labor and Government Efficiency Committee

011167 **[MTBE Purchase Ban]**

Supervisors Newsom, Daly, McGoldrick, Sandoval, Leno, Peskin, Maxwell

Ordinance amending San Francisco Administrative Code by adding Chapter 12S prohibiting the bulk purchase of gasoline and/or other motor vehicle fuel containing MTBE by City Departments, effective January 1, 2002.

(Fiscal impact.)

Ordinance No. 214-01

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendation of the Finance Committee

011649 [Agreement to convey former Central Freeway Parcels to Redevelopment Agency]
Mayor

Resolution approving and authorizing an agreement with the Redevelopment Agency of the City and County of San Francisco for the sale and grant of an option to purchase certain real property formerly occupied by the Central Freeway for the purpose of affordable housing; adopting findings pursuant to the California Environmental Quality Act: adopting findings that the conveyance is consistent with the City's general plan and eight priority policies of City Planning Code section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution. (Mayor)

Supervisor Peskin, seconded by Supervisor Daly moved to amend.

10/22/01 - On Page 2, line 20, after "housing" insert "for low income seniors". On Page 5, line 12, delete "affordable". On Page 5, line 12 after "Plan" insert "which shall be affordable to low income seniors". On Page 6, add a further resolve clause to read: "Pursuant to Section 33433 of the California Health and Safety Code the Redevelopment Agency disposition, conveyance or transfer of the property conveyed by this resolution shall be approved by a resolution of the Board of Supervisors."
AMENDED.

Resolution No. 824-01
ADOPTED AS AMENDED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendation of the Neighborhood Services and Parks Committee

011410 **[Loitering At or Near Automatic Public Toilets]**
Supervisors Hall, Newsom

Ordinance amending Part II, Chapter VIII, Article 2 of the San Francisco Municipal (Police) Code by adding Section 124-124.6 to prohibit more than one person from entering or remaining in an automatic public toilet at one time and to prohibit loitering at or near automatic public toilets.

Ordinance No. 215-01
FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

NEW BUSINESS

Recommendations of the Economic Vitality, Small Business and Social Policy Committee

011503 **[Grant Funds James Denman Middle School]**
Mayor

Resolution authorizing the Chief of Police of the City and County of San Francisco to accept and expend grant funds made available through the Governor's Office of Criminal Justice Planning for a project entitled "James Denman Middle School Safety Program" and waiving indirect costs due to funding constraints; rescinding Resolution Number 674-00. (Mayor)

Resolution No. 818-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011667 **[Liquor License Transfer, 1 Ferry Plaza, Pier 2]**
Resolution determining that the transfer of a Type 51 on-sale general club license to the World Trade Club from World Trade Center #300 to its new address at No. 1 Ferry Plaza, Pier 2 (District 3), will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Supervisor Peskin, seconded by Supervisor Leno, moved to continue to October 29, 2001.

CONTINUED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011671 **[Agreement - Informatix, Inc. and CCSF to implement the Computer Assisted Support Enforcement System (CASES) Consortium for 34 California counties including San Francisco]**
Resolution retroactively approving the Agreement and its subsequent amendment between Informatix, Inc. and City, dated May 3, 2000, for computer consulting services necessary to implement the CASES Consortium. (Child Support Services)

Resolution No. 825-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Finance Committee

011436 **[Official Advertising]**
Resolution authorizing the Purchasing Division of the Office of Contract Administration to negotiate and enter into a sole source contract with the San Francisco Chronicle to be the official newspaper of the City and County of San Francisco for the category of consecutive day official advertising for the fiscal year ending June 30, 2002. (Purchaser)

Resolution No. 814-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011561 **[IHSS Contract Modification Approval - Addus Healthcare]**

Resolution approving the retroactive modification of the contract between the City and County of San Francisco and Addus Healthcare for the provision of In-Home Supportive Services for the period from July 1, 2001 to January 31, 2002, in the increased amount of $4,182,526, for a total contract amount of $21,379,697. (Human Services Department)

(Fiscal impact.)
(Supervisor Gonzalez dissenting in Committee)

Supervisor Leno, seconded by Supervisor McGoldrick moved to continue to October 29, 2001.

CONTINUED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011715 **[Accept and Expend Federal Grant Funds Under the Airport Improvement Program (AIP)]**

Resolution authorizing the Airport Commission to accept and expend grant funds in the amount of $23,849,790.00 from the Federal Aviation Administration for the purpose of Airport Improvements: $15,525,000 to be expended by the Facilities Operations and Maintenance Division (A.I.P 16, Project No. 01-1-3-06-0221-1601); and $8,324,790 for Preliminary Engineering and Environmental Planning for Environmental Evaluation to be expended by the Airfield Development Bureau (A.I.P 17, Project No. 01-5-3-06-0221-0000); placing $8,324,790 on reserve. (Airport Commission)

Resolution No. 826-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Housing, Transportation and Land Use Committee

011567 **[Changing the definition of a truck in the Traffic Code to limit the use of special truck loading zones to bona-fide delivery vehicles]**

Ordinance amending Sections 33.3 and 33.3.2 of the San Francisco Traffic Code, restricting the types of vehicles that may use Truck Loading Zones and Special Truck Loading Zones in parking bays along Market Street between Steuart and Octavia Streets to those with at least six wheels. (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011363 [Interim Control - Mission District]
Supervisor Ammiano

Resolution adopting interim controls that would, in the Mission District in the area bounded by Guerrero Street, Cesar Chavez Street, Potrero Avenue and the Central Freeway, prohibit certain tourist hotels, prohibit demolition of a residential use except to construct affordable housing, require mandatory discretionary review and sign posting for a change of use, require certain new market-rate housing projects or conversions to market-rate housing to obtain conditional use authorization and allow other types of housing as a permitted use, prohibit an office or information technology use in excess of 1,500 gross square feet in areas zoned M (Industrial), and require conditional use authorization for a utility installation in areas zoned C (Commercial); that would, in the Valencia Street and 24th Street - Mission NCDs, prohibit conversions or demolition of residential uses, prohibit information technology uses, and require conditional use for a business or professional service use of more than 2,000 square feet above the 1st story unless it is a community service; that would, in the Valencia Street NCD, permit use sizes up to 2,000 square feet as a principal use, require a conditional use for use sizes above 2,000 square feet, and prohibit new tourist hotels; that would, on Mission Street from 15th Street to Cesar Chavez Street Zoned NC-3, permit use sizes up to 2,999 square feet as a principal use, require a conditional use for certain use sizes above 2,999 square feet, require all lots over 40,000 square feet to obtain a conditional use authorization for all uses, prohibit conversions or demolition of residential uses, prohibit certain administrative service uses unless they are a community service, and authorize a community service on all stories, and prohibit an information technology use on the 1st and 2nd stories and permit it as a principal use on the 3rd story and above; that would, in the Northeast Mission Industrial Zone (NEMIZ), prohibit any office or information technology use in excess of 1,500 gross square feet unless it is a community service; and prohibit new live/work projects and all conversions of live/work to office; Adopting findings.

(Received Certificate of Exemption/Exclusion from Environmental Review dated 9/17/01)

10/22/01 - Supervisor Ammiano, seconded by Supervisor Daly presented an Amendment of the Whole.
AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Resolution No. 841-01
ADOPTED AS AMENDED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Hall

011437 **[Stop Intersections]**
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Miramar Avenue and Eastwood/Westwood Drives (north intersection), northeast and southwest corners, stopping Eastwood and Westwood Drives (makes this uncontrolled intersection a two-way STOP) (Parking and Traffic Department)

(DPT Order No. 2279.)

Resolution No. 815-01
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011438 [Parking Regulations. Various Locations]
Resolution enacting and rescinding parking regulations at various locations.

NO PARKING. 6 AM - 9 AM. MONDAY THROUGH FRIDAY, EXCEPT VEHICLES WITH VANPOOL PERMITS - RESCIND
Larkin Street. east side. from 71 feet to 92 feet south of McAllister Street (21-foot zone at meter #220, to accommodate new bus zone)
Dr. Carlton B. Goodlett Place (Polk Street). east side. from 184 feet to 208 feet south of McAllister Street (24-foot zone. at meters #310 and #312)

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 7 AM - 7 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Clayton Street. both sides. between Haight and Page Streets (500 block)

TOW-AWAY. NO PARKING. 3 PM - 7 PM. MONDAY THROUGH FRIDAY - RESCIND
Pine Street. south side. from Sansome Street to 252 feet easterly (252-foot zone)

TOW-AWAY, NO PARKING, 3 PM - 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Pine Street. south side. from Sansome Street to 252 feet westerly (252-foot zone)

DIAGONAL (60-DEGREE ANGLE) PARKING - ESTABLISH
Paul Avenue. north side, from 3rd Street to 140 feet westerly (140-foot zone)
Williams Avenue. north side, between 3rd and Lucy Streets
Williams Avenue. north side, between Lucy and Ceres Streets

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Armstrong Avenue, south side, between 3rd and Keith Streets
Bancroft Avenue. north side, from 3rd Street to west terminus
Donner Avenue, south side, from 3rd Street to east terminus
Hollister Avenue, north side, from Jennings Street to a point 56 feet east of 3rd Street
Jamestown Avenue, south side, between 3rd and Keith Streets
Jamestown Avenue, south side, between Keith Street and Salinas Avenue
Le Conte Avenue, south side, between 3rd and Keith Streets
Thomas Avenue, south side, between 3rd and Lane Streets
Underwood Avenue, north side, between 3rd and Lane Streets
Van Dyke Avenue, north side, between 3rd and Keith Streets (Parking and Traffic Department)

(DPT Order No. 2279.)

Resolution No. 816-01
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011558 [Parking Regulations, Various Locations]
Resolution enacting and rescinding parking regulations at various locations.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Connecticut Street, east side, between 18th and 20th Streets
Mississippi Street, both sides, between 20th and 22nd Streets
Mississippi Street, east side, between Mariposa and 20th Streets
Missouri Street, both sides, between 19th and Mariposa Streets
Missouri Street, east side, between 20th and Sierra Streets
Missouri Street, west side, between 17th and Mariposa Streets
Missouri Street, west side, between 19th and 20th Streets
Pennsylvania Street, both sides, between 19th and 22nd Streets
Pennsylvania Street, west side, between 18th and Mariposa Streets
Texas Street, both sides, between 17th and 19th Streets
Texas Street, east side, between 19th and 20th Streets
Texas Street, east side, from 20th Street to a point 95 feet south of Sierra Street
Texas Street, west side, from 20th Street to a point 65 feet north of Sierra Street

RESIDENTIAL PERMIT PARKING AREA "Q" (ENTIRE AREA) - RESCIND
3rd Street, east side, between Ingerson and Jamestown Avenues (6300 block odd-numbered side)
3rd Street, west side, between Paul and Salinas Avenues (6200 block, even-numbered side)
Carr Street, both sides, between Paul and Salinas Avenues (unit block)
Crane Street, both sides, between Paul and Salinas Avenues (unit block)
Gould Street, both sides, between Paul and Salinas Avenues (unit block)
Paul Avenue, south side, between 3rd and Crane Streets (unit, 100, 200, 300, and 400 blocks)
Salinas Avenue, north side, between 3rd and Exeter Streets (unit, 100, and 200 blocks)

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Castro Street, both sides, between 21st and Hill Streets (northern portion of 800 block)

UNMETERED MOTORCYCLE PARKING - ESTABLISH
17th Street, north side, from 43.5 feet to 72 feet east of Folsom Street (28.5-foot zone, accommodating 7 motorcycles, in front of #3084-17th Street) (Parking and Traffic Department)

(DPT Order No. 2295.)

Resolution No. 820-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011559 **[Traffic Regulations, Various Streets]**
Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURN - RESCIND
NO LEFT TURN, EXCEPT MUNI AND TAXIS - ESTABLISH
Market Street, westbound, at Spear Street

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Fulton Street, north side, between 48th Avenue and La Playa
La Playa, west side, from the extension of the north property line of Cabrillo Street to 60 feet southerly (60-foot zone, opposite the stem of the T-intersection)
Monterey Boulevard, south side, between Acadia Street and Circular Avenue
South Van Ness Avenue, west side, from Market Street to 80 feet southerly (80-foot zone, eliminates parking meters #2, #4, and #6)

TOW-AWAY, NO STOPPING, 7 AM - 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
39th Avenue, west side, from Quintara Street to 15 feet southerly (15-foot zone)

RIGHT LANE MUST TURN RIGHT - RESCIND
Mansell Street, westbound, at Brazil Street (Parking and Traffic Department)

(DPT Order No. 2295.)

Resolution No. 821-01
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011611 **[Grant, Job Access and Reverse Commute (JARC) Section 37 Federal Capital Funding Assistance]**
Resolution authorizing the Municipal Transportation Agency Board to accept retroactively and expend $229,953 of Federal Job Access and Reverse Commute (JARC) Funds, Section 3037, for the San Francisco International Airport's (SFO) SFO-Southeast San Francisco Transportation Job Link Program, and including $13,016 for Administrative Overhead Costs. (Municipal Transportation Agency)

Resolution No. 822-01
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011612 **[Grant, Surface Transportation Program Capital Assistance for MUNI Projects]**
Resolution authorizing the Municipal Transportation Agency Board to accept retroactively and expend $53,282,382 of Federal Formula Section 5307 and Surface Transportation Program (STP) Capital Assistance for Municipal Railway Capital Projects and activities and including $1,705,135 for Indirect Costs. (Municipal Transportation Agency)

Resolution No. 823-01
ADOPTED by the following vote:
Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

Recommendations of the Neighborhood Services and Parks Committee

011507 **[Unified School District Use of Prop A Bonds]**
Supervisor Yee

Resolution urging the San Francisco Unified School District to honor their explicit promise to the voters of the City and County of San Francisco and the Board of Supervisors before they receive the remaining portion of the 1997 Proposition A Bonds.

Supervisor Ammiano, seconded by Supervisor Peskin, moved to re-refer to Committee.
RE-REFERRED to the City and School District Committee by the following vote:
Ayes: 8 - Ammiano, Daly, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 3 - Gonzalez, Hall, Yee

011541 **[US-Japan Peace Treaty]**
Supervisors Yee, Ammiano, Daly, Sandoval

Resolution urging the government of Japan, on the 50th anniversary of the US-Japan Peace Treaty, to apologize for its wartime atrocities and provide just compensation for the surviving victims of its aggression.

(Supervisor Hall dissenting in committee)

10/22/01 - Supervisor Yee, seconded by Supervisor Sandoval moved an Amendment of the Whole.
AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/22/01 - Supervisor Leno, seconded by Supervisor Maxwell moved to amend on Page 3, line 1, after "calls" insert "upon". On Page 3, line 3, replace "urges the Mayor, in his capacity as the host of the 50th anniversary festivities, to remind the participating dignitaries and guests of the unresolved issues of the Asian/Pacific War in all his public statements and remarks" with "urges respect, understanding and tolerence for all Japanese Americans so as not to revisit past injustices suffered by them".
AMENDED.

Resolution No. 842-01
ADOPTED AS AMENDED by the following vote:
Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Sandoval, Yee
Noes: 2 - Hall, Peskin
Absent: 1 - Newsom

SPECIAL ORDER 3:00 P.M.

011869 **[City Message]**
Mayor

Mayor's Annual State of the City Message. (Mayor)

The Honorable Willie L. Brown, Jr., Mayor gave the Annual State of the City Address. The Mayor introduced the following officials: Doris Ward, Assessor, Susan Leal, Treasurer, Michael Hennessey, Sheriff, Kimiko Burton, Public Defender, Mitchell Katz, Director of Health and Mario Trevino, Chief, Fire Department.
FILED.

COMMITTEE REPORTS

From Rules Committee

010844 **[Storage Container Removal and Storage]**
Supervisors Ammiano, Gonzalez, Daly

Ordinance amending the San Francisco Public Works Code by adding Sections 1407-1416 to create procedures for the removal of personal property and storage containers from public and private property and for the storage of property and encouraging City departments to create additional free storage facilities.

NOT passed by the following vote:
Ayes: 4 - Ammiano, Daly, Gonzalez, Sandoval
Noes: 7 - Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdalla Megahed, homeless shelters;
John Bardis, Mayor's budget;
Patricia Vaughey, four types of homelessness;
Charlie Peters, MTBE;
Allen Mallow, Middle Black Box Theater;
Christine Ellis, Plaza Hotel ;
Donald Green, neighborhood working group on Presidio;
Doug Hahn, Presidio National Park;
Daniel Wild, Plaza Hotel party.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

011867 [Legislative Analyst Request]
Supervisor Newsom

Motion requesting the office of the Legislative Analyst to conduct a report on trash receptacles and the use of best practices in other cities.

APPROVED by the following vote:
Ayes: 8 - Ammiano, Daly, Hall, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 3 - Gonzalez, Leno, McGoldrick

SPECIAL ORDER 5:00 P.M.

CLOSED SESSION

THREAT TO PUBLIC SERVICES OR FACILITIES

011769 **[Closed Session - Potential Threats to Public Services]**
Supervisor Leno

Motion that the Board of Supervisors convene in closed session with Chief of Police Lau, Fire Chief Trevino, Sheriff Hennessey, and the Airport and Water Departments to discuss potential threats to public services or facilities.

This closed session would be permitted by Government Code Sections 54954.5 and 54957 and the San Francisco Administrative Code Sections 67.8(a)(4) and 67.10(a).

Recess

The Board recessed at the hour of 5:23 p.m. to convene in closed session.

Deputy City Attorney Ted Lakey reported that the Board of Supervisor has met in closed session with various department heads, under provions of Government Codes Sections 54954.5 and 54957 and San Francisco Administrative Code Sections 67.8(a)(4) and 67.10(a) for the purpose of conferring with, or receiving advice.

Persons in attendance:
John Martin, Director, Airport;
Mitchell Katz, Director, Department of Public Health;
Mario Trevino, Chief, Fire Department;
Michael Hennessey, Sheriff;
Lucien Canton, Director, Mayor's Office of Emergency Services;
Commander Greg Shhr, Police Department;
Thera Bradshaw, Director, Emergency Communication Department;
Paul Lovette, Deputy General Manager, Safety and Training;
Ted Lakey, Deputy City Attorney;
Gloria L. Young, Clerk of the Board;
Gregoire Hobson, Deputy Clerk.

Reconvening of the Board

The Board at the hour of 6:17 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Supervisors Ammiano, Daly, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee - 9

Noted absent: Supervisors Gonzalez, McGoldrick - 2.

Supervisor Peskin, seconded by Supervisor Hall, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor Sandoval, seconded by Supervisor Leno, moved. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 2 - Gonzalez, McGoldrick

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 37 through 52

011854 **[Transgender Resource Center]**
Supervisor Leno

Resolution supporting the creation of a transgender resource center by local non-profits who serve the lesbian, gay, bisexual and transgender communities.

Resolution No. 828-01
ADOPTED

011855 **[Pesticide Product Labels]**
Supervisors Newsom, Leno

Resolution urging the United States Environmental Protection Agency (US EPA) to require that manufacturers and registrants of pesticide products fully disclose all inert ingredients on pesticide product labels.

Resolution No. 829-01
ADOPTED

011856 **[Emergency 911 Wireless Communication Regulations]**
Supervisor Newsom

Resolution encouraging Thomas J. Surgrue, Chief of the Federal Communication Commission's (FCC) Wireless Telecommunications Bureau, to hold carriers, to the already established deployment schedule, to swiftly implement an accurate emergency location determination, in order for Emergency Medical Services (EMS) to achieve the short time intervals imperative to save lives.

Resolution No. 830-01
ADOPTED

011857 **[Avon Foundation]**
Supervisors Peskin, Ammiano, Leno, Daly, Newsom, Maxwell

Resolution recognizing the generous contribution of $10 million by the Avon Products Foundation to expand women's health services in San Francisco and commending the San Francisco General Foundation for attracting this generous gift.

Resolution No. 831-01
ADOPTED

011858 **[Fisherman's Wharf Merchants Association]**
Supervisors Peskin, Leno, Newsom, Hall, Maxwell

Resolution recognizing the unprecedented partnership between the Fisherman's Wharf Merchants Association and several City departments in refurbishing the Fisherman's Wharf area.

Resolution No. 832-01
ADOPTED

011859 **[Grant - Recreation and Park Department]**
Supervisors Yee, Newsom

Resolution authorizing the Recreation and Park Department to accept and expend a grant in the total amount of $50,000 from the California Integrated Waste Management Board for the South Sunset Playground improvement project.

Resolution No. 833-01
ADOPTED

011860 **[Jennie A. Horn Day]**
Supervisor Yee

Resolution proclaiming November 7, 2001 "Jennie A. Horn Day" in the City and County of San Francisco in honor of her retirement from the San Francisco Unified School District.

Resolution No. 834-01
ADOPTED

011861 **[Margaret Garza Wells Day]**
Supervisor Yee

Resolution proclaiming November 7, 2001 "Margaret Garza Wells Day" in the City and County of San Francisco in honor of her retirement from the San Francisco Unified School District.

Resolution No. 835-01
ADOPTED

011863 **[Commendation]**
Supervisor Maxwell

Resolution commending Senator Martha Escutia on the passage of her bill SB 702, California Environmental Health Tracking System, to track links between chronic disease and the environment.

Resolution No. 836-01
ADOPTED

011865 **[Commendation]**
Supervisor Sandoval

Resolution commending Carlos Moreno on his appointment to the California Supreme Court.

Resolution No. 838-01
ADOPTED

011871 **[Naming Right of Way "Al Scoma Way"]**
Supervisors Peskin, Newsom

Resolution recommending that the Port of San Francisco name the Right of Way north of Jefferson Street to Pier 47 as "Al Scoma Way", in recognition of Al Scoma's varied contributions to the City of San Francisco and Fisherman's Wharf over the past six decades.

Resolution No. 839-01
ADOPTED

011793 **[Final Map for a 7 Unit Mixed Use Condominium Project]**
Motion approving Final Map of 5301 Mission Street, a Mixed Use Condominium Project, being a subdivision of Lot 1, Assessor's Block No. 6461, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,208; District 11.)

Motion No. M01-155
APPROVED

011888 **[Final Map for a 9 Unit Live/Work Condominium Project]**
Motion approving Final Map of 1047 Mississippi Street, a Live/Work Condominium Project, being a subdivision of Lot 12, Assessor's Block No. 4224, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,211; District 10.)

Motion No. M01-156
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 8 - Ammiano, Daly, Hall, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 3 - Gonzalez, Leno, McGoldrick

Severed from Adoption Without Committee Reference

011853 **[Lifeline Transit Network]**
Supervisors Leno, Daly, Peskin

Resolution supporting the creation of a regional lifeline transit network, urging the Metropolitan Transportation Commission (MTC) to complete the Lifeline Transit Network and fully fund its implementation in the Regional Transportation Plan (RTP) and urging MTC to adopt lifeline transportation measures for projects proposed for the Regional Transit Expansion Program (RTEP).

Supervisor Sandoval, seconded by Supervisor Maxwell moved to continue to October 29, 2001.

CONTINUED by the following vote:
Ayes: 8 - Ammiano, Daly, Hall, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 3 - Gonzalez, Leno, McGoldrick

011862 **[Tourism Stimulus]**
Supervisor McGoldrick

Resolution calling on the Mayor to pursue state funds to stimulate the local tourism economy; and inviting officials of major Asian cities to visit San Francisco.

Supervisor Daly moved to refer to committee.
REFERRED to the Economic Vitality, Small Business and Social Policy Committee.

011864 **[Commendation]**
Supervisors Newsom, Leno

Resolution commending the Precita Eyes Mural Arts and Visitors Center for providing 25 years of Community Mural Arts in the City and County of San Francisco, and its most recent mural project, The Flower Inside Us Grows.

10/22/01 - Supervisor Newsom, seconded by Supervisor Maxwell moved an Amendment of the Whole.
AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Resolution commending the Precita Eyes Mural Arts and Visitors Center and Larkin Street Youth Services for providing 25 years of Community Mural Arts in the City and County of San Francisco, and its most recent mural project, The Flower Inside Us Grows.

Resolution No. 837-01
ADOPTED AS AMENDED by the following vote:
Ayes: 9 - Ammiano, Daly, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 2 - Gonzalez, McGoldrick

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."
Supervisor Daly, seconded by Supervisor Sandoval, moved. The motion carried by the following vote:
Ayes: 8 - Ammiano, Daly, Hall, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 3 - Gonzalez, Leno, McGoldrick

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.
Supervisor Daly, seconded by Supervisor Sandoval, moved. The motion carried by the following vote:
Ayes: 8 - Ammiano, Daly, Hall, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 3 - Gonzalez, Leno, McGoldrick

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Daly, seconded by Supervisor Sandoval, moved Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Hall, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 3 - Gonzalez, Leno, McGoldrick

Imperative Agenda

011907 **[Mary Welsh Byrd Day]**
Supervisor Yee

Resolution proclaiming October 25, 2001 "Mary Welsh Byrd Day" in the City and County of San Francisco in honor of her retirement from the San Francisco Unified School District.

Resolution No. 840-01

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Daly, Hall, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 3 - Gonzalez, Leno, McGoldrick

011908 **[Presidio Trust Draft Implementation Plan]**
Supervisor Yee

Resolution urging Presidio Trust to allow development or renovation only as befits a national park, to guarantee public participation in future planning processes.

Resolution No. 785-01

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Daly, Hall, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 3 - Gonzalez, Leno, McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

011909 **[Municipal Election]**
Supervisors Peskin, Daly

Ordinance amending Municipal Code, Elections Code by adding Section 970 to prohibit the giving or receiving of anything of value in consideration of voting, refraining from voting, or voting for or against a candidate or measure at a municipal election.
10/22/01, RECEIVED AND ASSIGNED to Rules Committee.

Resolutions

011907 **[Mary Welsh Byrd Day]**
Supervisor Yee

Resolution proclaiming October 25, 2001 "Mary Welsh Byrd Day" in the City and County of San Francisco in honor of her retirement from the San Francisco Unified School District.
10/22/01, ADOPTED.

011908 **[Presidio Trust Draft Implementation Plan]**
Supervisor Yee

Resolution urging Presidio Trust to allow development or renovation only as befits a national park, to guarantee public participation in future planning processes.
10/22/01, ADOPTED.

011910 **[Multifamily Housing Revenue Bonds]**
Supervisor Newsom

Resolution authorizing the issuance and sale of multifamily housing revenue bonds by California Statewide Communities Development Authority in an aggregate principal amount not to exceed $10,000,000 for Gough Street LLC.
10/22/01, RECEIVED AND ASSIGNED to Finance Committee.

011911 **[Runoff Absentee Ballot]**
Supervisors Gonzalez, Peskin

Resolution urging the California State Legislature to amend State election law so that persons requesting absentee ballots for the general election will also receive absentee ballots for the resulting runoff election.
10/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011912 **[Disaster Preparedness Testing]**
Supervisor Leno

Resolution urging the San Francisco Department of Emergency Communications and the Office of the Mayor to institute an interdepartmental disaster preparedness test, and further urging the Association of Bay Area Governments to begin similar intergovernmental disaster preparedness testing.
10/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011913 **[City Hall Café]**
Supervisor Leno

Resolution approving the management agreement, dated November 1, 2001, between the City of San Francisco and Mrs. Chong Sook Park, for the operation of the City Hall Café.
10/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011914 **[Wireless Carriers]**
Supervisor Newsom

Resolution urging the Emergency Communications Department, in collaboration with the San Francisco Telecommunications Commission, to implement 9-1-1 in the wireless carrier environment to enhance current emergency operations by the Emergency Communications Department's 911-Center.
10/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011921 **[Economic Stimulus Task Force]**
Supervisor Newsom

Resolution establishing an Economic Stimulus Task Force to be comprised of members of the Board of Supervisors or their designee, the Mayor's Office, and the San Francisco business and policy planning community; and subject to meet on a biweekly basis in order to expedite approved projects.
10/22/01, RECEIVED AND ASSIGNED to Rules Committee.

011915 **[Commendation]**
Supervisors Gonzalez, Hall

Resolution commending and congratulating Father Larry N. Lorenzoni, S.D.B. on the fiftieth anniversary of his ordination.
10/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011916 **[Commendation]**
Supervisors Hall, Newsom, Leno

Resolution commending the San Francisco Public Utilities Commission, the City of Daly City, the Olympic Club, the Lake Merced Golf and County Club, and the San Francisco Golf Club for their work in reaching landmark agreements that will set in motion a plan to restore Lake Merced.
10/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011917 **[Commendation]**
Supervisors Leno, Sandoval, Daly

Resolution commending the Mission Housing Development Corporation on its 30th Anniversary.
10/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011918 **[Commendation]**
Supervisor Leno

Resolution commending the Eureka Valley Promotion Association on its 120th Anniversary.
10/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011925 **[Commend - Mexican Museum]**
Supervisor Newsom

Resolution commending the Mexican Museum on its upcoming groundbreaking event to be held on Octber 25th, 2001.
10/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

011919 **[Better Neighborhoods 2002 On-Street Parking Proposals]**
Supervisor Ammiano

Hearing to consider Better Neighborhoods 2002 On-Street Parking Proposals.
10/22/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011920 **[San Francisco Biotechnology Industry]**
Supervisor Maxwell

Hearing on the San Francisco biotechnology industry to focus on: (1) Creating a local business climate that attracts the industry to San Francisco; (2) Identifying the industry's role in the City's economy; (3) Incorporating biotechnology into the City's planning processes; (4) Distinguishing different types of biotechnology; and (5) Creating local health and safety protections.
10/22/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

011922 **[Airport Working Conditions]**
Supervisor Sandoval

Hearing to examine the working conditions for employees at San Francisco International Airport and to discuss the possible federalization of airport security positions as a result of the September 11th attacks.
10/22/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

Motions

011906 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
10/22/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011923 **[Legislative Analyst Request]**
Supervisor Newsom

Motion asking the Office of the Legislative Analyst to provide staff assistance to the Emergency Room Diversion Task Force.
10/22/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration October 29, 2001.

011924 **[Mayor's Proposed Annual City Budget]**
Supervisor Yee

Motion amending the Rules of Order of the Board of Supervisors by adding Rule 5.29 providing that the Mayor's proposed annual City budget shall not be referred to Committee, and shall be considered by the Board of Supervisors at regular or special meetings.
10/22/01, RECEIVED AND ASSIGNED to Rules Committee.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

011870 **[Settlement of Business Tax Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Morgan Stanley Dean Witter & Co. Inc. versus the City and County of San Francisco by payment of a total amount not to exceed $1,200,000.00; the lawsuit was filed on June 22, 2001 in San Francisco Superior Court, Case No. 322-341, entitled Morgan Stanley Dean Witter & Co. Inc., et. al. v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year and plaintiffs shall not file any claims for refunds pursuant to Section 1021 of Article 12B of the San Francisco Business and Tax Regulations Code. (City Attorney)
10/17/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

011875 **[Amendments to Conflict of Interest Code]**

Ordinance amending Article III, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code by adding Sections 3.1-168, 3.1-218, 3.1-423 and 3.1-424, amending Sections 3.1-109, 3.1-110, 3.1-170, 3.1-215, 3.1-365 and 3.1-435, and repealing Section 3.1-355 to update the list of designated officials who must file financial disclosure statements and to modify the applicable disclosure requirements. (City Attorney)

10/17/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/14/2001.

011876 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by A. Ruiz Construction Company against the City and County of San Francisco for $200,000.00; the lawsuit was filed on July 10, 2000, in San Francisco Superior Court, Case No. 312-041; entitled A. Ruiz Construction Company v. City and County of San Francisco. (City Attorney)

10/17/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

011877 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by 111 Chestnut Street Condominium Homeowners Association, 220 Lombard Street Condominium Homeowners Association, 240 Lombard Street Condominium Homeowners Association, Lombard Plaza Owners Association, associations representing property owners of the Parc Telegraph development, against the City and County of San Francisco for $41,500, monitoring services of Frank Rollo, Sr., and debris removal; the lawsuit was filed on November 13, 1997 in the Superior Court of San Francisco, Case No. 991-050; entitled 111 Chestnut Condominium Homeowners Association, et al v. City and County of San Francisco, et al. (City Attorney)

10/17/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

PROPOSED RESOLUTIONS

011872 **[Stop Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
25th and Church Streets, northeast and southwest corners, stopping Church Street (makes this an all-way STOP)
41st Avenue and Judah Street, northeast and southwest corners, stopping Judah Street (makes this an all-way STOP)
Fairmount and Whitney Streets, northwest and southeast corners, stopping Whitney Street (making this intersection an all-way STOP)
Revere Avenue and Bay View Street, northwest corner, stopping southbound Revere Avenue (stops the stem of this T-intersection)
San Carlos and Sycamore Streets, southwest corner, stopping San Carlos Street (stops the stem of this T-intersection)

STOP SIGNS - RESCIND
Lincoln Way and 3rd Avenue, southeast corner, stopping northbound 3rd Avenue (Parking and Traffic Department)

(DPT Order No. 2321.)

10/17/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011873 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

CROSSWALK CLOSURE - ESTABLISH
Lincoln Way and 3rd Avenue, west side, crossing 3rd Avenue (unmarked crosswalk to be officially closed)

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
Lincoln Way, south side, from 4th Avenue to a point 100 feet west of 3rd Avenue

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Lincoln Way, south side, between 3rd and 4th Avenues
Bryant Street, south side, from Beale Street to 100 feet westerly (100-foot zone)
Masonic Avenue, east side, from Frederick Street to 53 feet northerly (53-foot zone)

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
3rd Street, west side, from 25th Street to 198 feet northerly (198-foot zone)
3rd Street. west side, from 25th Street to 202 feet southerly (202-foot zone)
3rd Street, east side, from 60 feet to 139 feet north of Cesar Chavez Street (79-foot zone)

NO LEFT TURN - ESTABLISH
3rd Street, southbound, at Burke Avenue

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
3rd Street, both sides, between Evans and Fairfax Avenues
3rd Street, east side, between Innes Avenue and Newhall Street (traffic island)
3rd Street, east side, from 35 feet to 80 feet north of Jerrold Avenue (45-foot zone)
3rd Street, east side, from 90 feet to 125 feet south of Fairfax Avenue (35-foot zone)
3rd Street, east side, opposite Bancroft Avenue (across from the stem of this T-intersection)
3rd Street, west side, between Newhall Street and Kirkwood Avenue (traffic island)
3rd Street, west side, opposite Donner Avenue (across from the stem of this T-intersection)
3rd Street, west side, opposite Underwood Avenue (across from the stem of this T-intersection)

NO LEFT TURN - ESTABLISH
3rd Street, northbound, at Quesada Avenue
3rd Street, northbound, at Thornton Avenue

NO RIGHT TURN ON RED - ESTABLISH
3rd Street, southbound, at Revere Avenue / Bay View Street

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
3rd Street, west side, from 47 feet to 75 feet south of Hudson Avenue (28-foot zone)
3rd Street, west side, from 74 feet to 110 feet south of Yosemite Avenue (36-foot zone)
3rd Street, west side, from Galvez Avenue to a point 83 feet south of Fairfax Avenue (130-foot zone)
3rd Street, west side, from Innes Avenue to 60 feet northerly (60-foot zone)
3rd Street, west side, from Kirkwood Avenue to 35 feet northerly (35-foot zone along sidewalk bulb) (Parking and Traffic Department)

(DPT Order No. 2321.)
10/17/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011874 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

DIAGONAL (60-DEGREE ANGLE) PARKING - ESTABLISH
NO PARKING ANYTIME, EXCEPT DPT ENFORCEMENT VEHICLES - ESTABLISH
10th Street, east side, from Bryant Street to 250 feet southerly (250-foot zone)

NO PARKING ANYTIME - ESTABLISH
Cook Street, along north terminus, north of Geary Boulevard, from the west curb line to 23 feet easterly (23-foot zone, adjacent to Euclid Avenue stairs)

ONE-HOUR PARKING TIME LIMIT, NOVEMBER THROUGH MARCH, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
2nd Street, west side, from Townsend Street to 105 feet southerly (105-foot zone, to be replaced by taxi zones)

TAXI ZONE (EFFECTIVE ON PACIFIC BELL PARK EVENT DAYS ONLY) - RESCIND
2nd Street, west side, from 9 feet to 42 feet south of Townsend Street (33-foot zone)

TAXI ZONE (EFFECTIVE ON PACIFIC BELL PARK EVENT DAYS ONLY) - ESTABLISH
2nd Street, west side, from 9 feet to 105 feet south of Townsend Street (96-foot zone)

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Duboce Avenue, north side, from Steiner Street to 23 feet westerly (23-foot zone, accommodating 6 motorcycle stalls)

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Channel Street, south side, from Carolina Street to 140 feet easterly (140-foot zone)
Channel Street near Carolina Street, along the west side of the fence crossing Channel Street, from the south property line of Channel Street to 110 feet northerly (110-foot zone)
Custer Avenue, both sides, between 3rd and Quint Streets

NO PARKING ANYTIME - RESCIND
Hallam Street, west side, from Brush Street to the south terminus

RESIDENTIAL PERMIT PARKING AREA "U" (1-HOUR TIME LIMIT, 8 AM - 10 PM, EVERYDAY) - ESTABLISH
Hallam Street, both sides, between Folsom Street and south terminus (unit block)
NOTE: Signs will only be installed on the west side, between Brush Street and the south terminus

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Shrader Street, west side, between Alma and Grattan Streets (1200 block, odd-numbered side only)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Clearfield Drive, east side, from Sloat Boulevard to 40 feet southerly (40-foot zone)
Delgado Street, north side, from a point 48 feet east of Hyde Street to the eastern terminus
Shakespeare Street, south side, from 151 feet to 176 feet west of Rhine Street (25-foot zone opposite #120 Shakespeare Street, eliminates 1 parking space) (Parking and Traffic Department)

(DPT Order No. 2321.)

10/17/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011880 **[Contract funds for study of long-term effects of HIV infection]**
Supervisor Leno

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $69,799 with Public Health Foundation Enterprises Inc. (PHFE), the primary contractor, to fund a study of HIV Strain Diversity and Nonprogressors; for the period of July 1, 2001 to June 30, 2002. (Public Health Department)

10/12/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

011881 **[Contract between the Department of Public Health and Health Advocates, LLP to provide uncompensated care recovery services]**

Resolution authorizing the Director of Public Health and the Purchaser to execute a contract between the City and County of San Francisco and Health Advocates, LLP to provide uncompensated care reimbursement recovery services. (Public Health Department)

10/16/01, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be considered at the October 24, 2001 meeting.

011882 **[Study of Viagra Use Among Men Who Have Sex With Men in San Francisco]**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into a subcontract agreement in the amount of $25,000 with the Regents of the University of California to participate in a project to study the use of Viagra among men who have sex with men in San Francisco; for the period of July 1, 2001 to June 30, 2002. (Public Health Department)

10/16/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

011883 **[Prop J Contract, Pacific Park Management, Inc.]**

Resolution approving: (1) The Controller's certification that Employee Parking Management Services for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels, and (2) The contract between Pacific Park Management, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, to provide said services. (Airport Commission)

(Fiscal impact.)

10/16/01, RECEIVED AND ASSIGNED to Finance Committee.

011884 **[Airport Operating Agreement]**

Resolution approving the Airport Public Facilities Operating Agreement between Ampco System Parking and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Fiscal impact.)

(Supervisor Peskin dissenting in Committee)

10/16/01, RECEIVED AND ASSIGNED to Finance Committee.

011850 **[Commending Congresswoman Nancy Pelosi]**
Supervisors Daly, Newsom, Leno

Resolution commending Congresswoman Nancy Pelosi on the occasion of being elected Democratic Whip of the United States House of Representatives and extending the congratulations of the Board of Supervisors.

10/15/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

011889 **[Office of the Legislative Analyst Staff Vacancy]**

Motion to authorize the Clerk of the Board to fill a vacancy in the Office of the Legislative Analyst for the position of Senior Legislative Analyst. (Clerk of the Board)

(Supervisor Peskin dissenting in Committee)
10/17/01, RECEIVED AND ASSIGNED to Finance Committee.

Requests Granted

From: Supervisor Ammiano
To: City Attorney
Requesting/Inquiring: Requesting assistance from the City Attorney's Office with drafting the Better Neighborhoods 2002 Proposed Changes to the Residential Permit Parking Program.

From: Supervisor Gonzalez
To: City Attorney
Requesting/Inquiring: Requesting for an ordinance repealing section 586 of the San Francisco Election Code. regarding publication of a list of Supervisors voting for and against submission of ballot arguments.

From: Supervisor Leno
To: Director, Department of Public Health
Requesting/Inquiring: In regards to City preparedness for biological, chemical or explosive terrorism and recommendations made in the Metropolitan Task Force Concept of Operations (MTFCO) and Bio-Terrorism Response Plan (BTRP) to respond to such threats:
· What would be the cost of providing additional disaster training for hospital workers and emergency response teams to meet levels recommended in the MTFCO and BTRP?
· What would be the cost of providing sustainment funding for the continuation of the Metropolitan Medical Strike Team and what Federal Agency provided the funding for the team previously and might be lobbied for future funds?
· How many additional hospital beds does the MTFCO and BTRP recommend that the City would need to adequately respond to a major disaster? If funding were made available to add more hospital beds, does the Department have a plan for how beds might be added. Are there any estimates for the cost of these plans?
· What measures are being taken by the Health Department to educate private health providers about detecting Anthrax, given that we are relying on private health providers to assist with detection?
· If DPH needs additional Anthrax vaccines from the National Pharmaceutical Stockpile, how can our elected leadership assist the Department with securing an appropriate amount?
· Finally, is there a hospital facility in San Francisco (public or private) that might serve as a "disaster hospital", where in the event of a major disaster, large numbers of patients could easily be directed to one facility?

From: Supervisor Leno
To: Director, Department of Emergency Communications
Requesting/Inquiring: Inquiring about a list of legislative or budgetary measures that the Department would need to fully implement the Metropolitan Task Force Concept of Operations and Bio-Terrorism Response Plan recommendations for improvements to emergency communications, including the development of rapid communication capabilities, improving the emergency communications dispatch system and other measures.

From: Supervisor Newsom
To: Director, Airport Commission
Requesting/Inquiring: Inquiring about the prospect of opening the dialogue with Southwest Airlines for reconsideration of utilizing the San Francisco International Airport as a primary hub for its domestic flights.

From: Supervisor Newsom
To: City Attorney
Requesting/Inquiring: To draft legislation establishing an implementation and monitoring process of a city MTBE purchase ban. Supervisor Newsom requests that this legislation include a city administered monitoring process ensuring the implementation of the purchase ban as well as means of incentive to promote those who supply MTBE-free gasoline for city services.

From: Supervisor Peskin

To: City Attorney
Requesting/Inquiring: To draft legislation that clarifies the City's Administrative Code to authorize the prompt collection of development exactions by the Treasurer's Office, including the Transit Impact Development Fee, the Jobs-Housing Linkage Fee, and the Childcare Provision Fee.

From: Supervisor Peskin
To: Director, Department of Public Works
Requesting/Inquiring: Inquiring about several elements of the City's process for issuance and monitoring of Street Space permits:
· Whether DPW can verify, on a biweekly basis, the current list of legitimate Street Space permits that DPT is charged with enforcing.
· To determine whether it is appropriate to include in DPW's Street Space Guidelines that the Department distributes to permit applicants: 1) explanation that Street Space Permits cannot simply be used for employee parking and 2) a review of the penalties that exist for abuse of these permits.

From Supervisor Sandoval
To: Clerk of the Board of Supervisors
Requesting/Inquiring: To write a letter to the Department of Parking and Traffic to inquire of the Community Enforcement Division as to the lack of enforcement of the street cleaning signs posted on the 300 block, east side, of Ashton Avenue, which has resulted in inadequate compliance, and a subsequent lack of street cleaning. Also requesting that the Department of Parking and Traffic reconsider the placement of street cleaning signage on the 300 block, east side, of Ashton Avenue.

From Supervisor Sandoval
To: City Attorney
Requesting/Inquiring: To draft legislation prohibiting service employees of the City from using cellular phones while driving a vehicle during hours of operations.

From Supervisor Sandoval
To: City Attorney
Requesting/Inquiring: To join the suit, along with Santa Monica and other counties, against oil companies regarding MTBE contamination. If the City Attorney refuses to join the suit, requesting that she explain her decision. Requesting the Department of Public Health test deep water aquifers in the West Basin for possible MTBE contamination.

From Supervisor Sandoval
To: Director, Department of Planning
To: Director, Department of Real Estate
Requesting/Inquiring: To examine the feasibility of acquiring for city use the All Star Donut store located at the corner of Geneva and San Jose. Potential uses for this area could include a parking area for bicycles or a community garden area.

From: Supervisor Sandoval
To: Clerk of the Board of Supervisors
Requesting/Inquiring: To write a letter to the Department of Parking and Traffic to inquire of the Community Enforcement Division as to the lack of enforcement of parking zone/area B rules and regulations. Examples specifically cited include a report of abandoned vehicles and a boat on Payson Street, between St. Charles and Chester.

From: Supervisor Sandoval
To: Clerk of the Board of Supervisors
Requesting/Inquiring: To write a letter to the Department of Parking and Traffic and the Department of Public Works to examine the proposed addition of the following safety measures:

1. Speed strips or bumps at the intersection of Josiah and Howth.

2. Speed strips or bumps at the intersection of Howth and Mt. Vernon.
3. Speed strips or bumps at the intersection of Lakeview and San Jose.
4. Stop sign(s) at the intersection of Geneva and Louisburg.
5. Four-way Stop sign(s) at the intersection of Josiah and Lakeview.

From: Supervisor Sandoval
To: Clerk of the Board of Supervisors
Requesting/Inquiring: To send a letter to the Department of Elections to inquire about election materials not available in Spanish and the Department's policy specifically relating to Spanish translation.

From: Supervisor McGoldrick
To: City Attorney
Requesting/Inquiring: To draft legislation amending the Mission Interim Controls. File No. 011363, as follows: on page 10 of the previously passed legislation, line 19, add the language "unless it is a 'community service' use (as defined in these interim controls)." The effect of this change would be to make subsection (a) (vi) on page 10 read the same as subsection (e) (I) on page 13 of the legislation as passed.

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Sande Mack (Supervisors Ammiano, Daly)
Harold Blaine Brooks, Jr. (Supervisor Maxwell)
Kristofor T. Stonesifer (Supervisor Newsom)
John J. Edmunds (Supervisor Newsom)
Pablo Hernadez Liamado (Supervisor Ammiano)

ADJOURNMENT

There being no further business, the Board at the hour of 7:02 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 7, 2002.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

/29/01

MEETING MINUTES

DOCUMENTS DEPT
FEB 2 6 2002
SAN FRANCISCO
PUBLIC LIBRARY

Monday, October 29, 2001 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO, SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Audit, Labor and Government Efficiency Committee Supervisors Newsom, Daly, McGoldrick	2nd & 4th Tuesday 1:00 PM
City and School District Committee Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar	Call of the Chair
Economic Vitality, Small Business and Social Policy Committee Supervisors Sandoval, Newsom, Maxwell	1st & 3rd Tuesday 10:00 AM
Finance Committee Supervisors Leno, Peskin, Gonzalez	Wednesday 10:00 AM
Housing, Transportation and Land Use Committee Supervisors McGoldrick, Daly, Peskin	2nd & 4th Thursday 10:00 AM
Neighborhood Services and Parks Committee Supervisors Yee, Hall, Sandoval	1st & 3rd Tuesday 1:00 PM
Public Health and Environment Committee Supervisors Maxwell, Yee, Leno	2nd & 4th Tuesday 10:00 AM
Public Utilities and Deregulation Committee Supervisors Daly, Gonzalez, Ammiano	Call of the Chair
Rules Committee Supervisors Gonzalez, Hall, Ammiano	1st & 3rd Thursday 1:00 PM

First-named Supervisor/Commissioner is Chair. Second-named Supervisor/Commissioner is Vice-Chair, of the Committee

Volume 96 Number 42

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:03 p.m. On call of the roll, all Supervisors were noted present.

Quorum present.

CONSENT AGENDA

Recommendations of the Audit, Labor and Government Efficiency Committee

011780 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the attorneys' fees and costs in the matter of Tayac v. City and County of San Francisco for $99,500. The lawsuit was filed on September 26, 1995, in United States District Court, Case No. C95-3424 CAL; entitled Tayac v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

Recommendations of the Neighborhood Services and Parks Committee

011556 **[Acceptance of Street for Maintenance]**

Ordinance accepting for purposes of maintenance Peters Avenue, subject to specified limitations, pursuant to California Streets and Highways Code Section 1806, San Francisco Administrative Code Section 1.52, and Department of Public Works Order No. 173,091. (Public Works Department)

(District 9)

Ordinance No. 220-01
FINALLY PASSED

Recommendations of the Public Health and Environment Committee

011771 **[Recurring FY2001-2002 State grant funds to the Department of Public Health from the California Department of Health Services]**

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY 2001-2002. (Public Health Department)

Resolution No. 844-01

ADOPTED

011789 **[State Grant - Department of the Environment]**

Mayor, Supervisors Newsom, Peskin

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of up to $300,000 from the California Integrated Waste Management Board for the purpose of increasing used motor oil recycling and household hazardous waste management. (Mayor)

Resolution No. 855-01

ADOPTED

Recommendations of the Rules Committee

010518 **[Appointment]**

Resolution appointing Maria Guadalupe Arreola, term ending August 20, 2003, and Maggie Davis, Michelle Horneff, and Lisa Block, terms ending August 20, 2005, to the Lead Poisoning Prevention Citizens Advisory Committee, residency requirement waived.

Maria Guadalupe Arreola (residency requirement waived), succeeding Francisco Casique, resigned, seat 3, must represent a tenant organization, for the unexpired portion of a four-year term ending August 20, 2003;
Maggie Davis (residency requirement waived), succeeding Maggie Davis-Badger, term expired, seat 7, must represent the Mayor's Office of Housing and Child Care, for a new four term ending August 20, 2005;
Michelle Horneff, succeeding herself, term expired, seat 14, must have expertise in real estate, for a new four-year term ending August 20, 2005;
Lisa Block, succeeding Octavia Jolley, term expired, seat 15, must have expertise in environmental matters, for a new a four-year term ending August 20, 2005.

Resolution No. 847-01

ADOPTED

011235 **[Appointment]**

Resolution appointing Juan Berumen, term ending June 6, 2003, and Neyde Azevedo, term ending June 6, 2002, to the Immigrant Rights Commission.

Neyde Azevedo, succeeding Marie-Lorraine Mallare, Seat 2, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a new two-year term ending June 6, 2002;
Juan Berumen, succeeding Samuel Assefa, Seat 11, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, member shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a new two-year term ending June 6, 2003.

Resolution No. 848-01

ADOPTED

011402 **[Appointment]**

Resolution appointing Steven Polevei, Alan Gelb, Rebecca Goldfader, Abbie Yant, Andrew Bindman, Ronald Smith, George Susens, Michael Puccinelli, Kym Valadez, and Alissa Riker, terms to be determined, to the Emergency Room Diversion Task Force, residency requirement waived.

Steven Polevei, new position, seat 2, must be an emergency room physician from the Emergency Physicians Association, term to be determined;
Alan Gelb (residency requirement waived), new position, seat 3, must be an emergency room physician from the San Francisco General Hospital, term to be determined;
Rebecca Goldfader, new position, seat 4, must be a nurse manager from a community hospital, term to be determined;
Abbie Yant, new position, seat 5, must be a nurse manager from a community hospital, term to be determined;
Andrew Bindman, new position, seat 6, must be a primary care specialist physician from the San Francisco General Hospital, term to be determined;
Ronald Smith, new position, seat 7, must represent the Hospital Council, term to be determined;
George Susens, new position, seat 8, must be a representative of the San Francisco Medical Society, term to be determined;
Michael Puccinelli, new position, seat 9, must be a representative of the San Francisco Police Department, term to be determined;
Kym Valadez (residency requirement waived), new position, seat 11, must represent a community based organization that serves the homeless and/or uninsured population, term to be determined;
Alissa Riker, new position, seat 12, must represent a community based organization that serves the homeless and/or uninsured population, term to be determined.

Resolution No. 849-01
ADOPTED

011831 **[Appointment]**

Resolution appointing Marcia Argyris, term ending May 15, 2002, Diane Burke, John Wilson, Joyce Miller, Janine Charise Grantham, and Bob Nelson, terms ending May 15, 2003, to the Local Homeless Coordinating Board, residency requirement waived.

Diane Burke, succeeding Michael Bennett, term expired, seat 1, must represent homeless or formerly homeless, for a new two year term ending May 15, 2003;
John Wilson, succeeding Joyce Miller, term expired, seat 2, must represent homeless or formerly homeless, for a new two year term ending May 15, 2003;
Joyce Miller, succeeding Ramona Benson, term expired, seat 3, must represent area of advocacy, for a new two year term ending May 15, 2003;
Janine Charise Grantham (residency requirement waived), succeeding Jennifer Grant, term expired, seat 5, must be a service provider, for a new two year term ending May 15, 2003;
Bob Nelson, succeeding Bob Nelson, term expired, seat 7, must be a service provider, for a new two year term ending May 15, 2003;
Marcia Argyris (residency requirement waived), new appointment, seat 10, must represent a Foundation, for a new two year term ending May 15, 2002.

Resolution No. 856-01
ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Economic Vitality, Small Business and Social Policy Committee

011667 **[Liquor License Transfer, 1 Ferry Plaza, Pier 2]**

Resolution determining that the transfer of a Type 51 on-sale general club license to the World Trade Club from World Trade Center #300 to its new address at No. 1 Ferry Plaza, Pier 2 (District 3), will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Resolution No. 812-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Finance Committee

011561 **[IHSS Contract Modification Approval - Addus Healthcare]**

Resolution approving the retroactive modification of the contract between the City and County of San Francisco and Addus Healthcare for the provision of In-Home Supportive Services for the period from July 1, 2001 to January 31, 2002, in the increased amount of $4,182,526, for a total contract amount of $21,379,697. (Human Services Department)

(Fiscal impact.)
(Supervisor Gonzalez dissenting in Committee)

Resolution No. 851-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Noes: 1 - McGoldrick

Recommendations of the Housing, Transportation and Land Use Committee

011567 **[Changing the definition of a truck in the Traffic Code to limit the use of special truck loading zones to bona-fide delivery vehicles]**

Ordinance amending Sections 33.3 and 33.3.2 of the San Francisco Traffic Code, restricting the types of vehicles that may use Truck Loading Zones and Special Truck Loading Zones in parking bays along Market Street between Steuart and Octavia Streets to those with at least six wheels. (Parking and Traffic Department)

Ordinance No. 221-01

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

NEW BUSINESS

Recommendations of the Audit, Labor and Government Efficiency Committee

011547 **[Audit, Homeless Services]**
Supervisors Daly, Newsom

Motion requesting the Controller to prepare a management audit of the City's homeless programs with the cooperation of the Budget Analyst.

Supervisor Daly, seconded by Supervisor Newsom moved to amend.
10/29/01, On lines 5 and 24/25, add "the report shall be made no later than December 31, 2001"; and on line 12, add a new whereas clause, "The term homeless includes individuals or families who lack a fixed, regular, and adequate nighttime residence and who have a primary residence in one or more of the categories outlined in the San Francisco Local Homeless Coordinating Board's Definition of Homelessness, on file with the Clerk of the Board of Supervisors in File No.011547, which is hereby declared to be a part of this resolution as if set forth fully herein."
AMENDED.

Motion requesting the Controller to prepare a management audit of the City's homeless programs with the cooperation of the Budget Analyst no later than December 31, 2001.

Motion No. M01-162

APPROVED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011840 **[Budget Analyst Update of 1994 on Homeless Population]**
Supervisors Newsom, Daly

Motion directing the Office of the Budget Analyst to update its 1994 Report on the cost of direct services provided to the homeless population in the City and County of San Francisco; the completion of this update is a priority assignment.

Supervisor Daly, seconded by Supervisor Newsom moved to amend.
10/29/01, On page 1, line 15, add a new whereas clause, "The term homeless includes individuals or families who lack a fixed, regular, and adequate nighttime residence and who have a primary residence in one or more of the categories outlined in the San Francisco Local Homeless Coordinating Board's Definition of Homelessness, on file with the Clerk of the Board of Supervisors in File No. 011840, which is hereby declared to be a part of this resolution as if set forth fully herein."
AMENDED.

Motion No. M01-163

APPROVED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Finance Committee

011678 [Appropriation, Ethics Commission]

Supervisors Leno, Daly, Gonzalez

Ordinance re-appropriating $34,947 of General Fund Proposition O funding for one position to perform investigations by the Ethics Commission for Fiscal Year 2001-2002, and amending Annual Salary Ordinance for Fiscal Year 2001-02.

(Companion measure to File 011679.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011679 [Amending Annual Salary Ordinance 2001-02, Ethics Commission]

Supervisors Leno, Daly

Ordinance amending Ordinance No. 171-01 (Annual Salary Ordinance 2001/02) reflecting the creation of one position at the Ethics Commission.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011578 [Business and Tax Regulations Code Amendment]

Supervisors Peskin, Daly, Gonzalez, Maxwell, McGoldrick

Ordinance amending the San Francisco Business and Tax Regulations Code by amending Article 1, Section 8(h), to provide that an appeal to the Board of Appeals of an action by the Zoning Administrator or Director of the Department of Building Inspection stopping work under or suspending an issued permit does not suspend the action pending the Board's decision; providing that this ordinance shall apply retroactively to appeals filed on or after the date of introduction.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011743 [Compensation for City Employee Called to Active Military Duty]

Mayor, Supervisors Daly, Newsom

Ordinance amending the 2001-2002 Annual Salary Ordinance to entitle City officers or employees called to active duty with a military reserve organization to receive from the City the difference between the amount of the individual's military pay and the amount the individual would have received as a City officer or employee had the individual worked his or her normal work schedule. (Mayor)

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011709 **[Prevailing Wage]**

Resolution fixing the highest general prevailing rate of wages, including wages for overtime and holiday work, for various crafts and kinds of labor as paid for similar work in private employment in the City and County of San Francisco at the rates certified to the Board by the Civil Service Commission on September 17, 2001. (Civil Service Commission)

Resolution No. 852-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011733 **[Water Pipeline and Easement Relocation]**

Resolution authorizing the relocation of Crystal Springs Pipeline Numbers 1 and 2 within the City of South San Francisco along Bayshore Boulevard in accordance with a Water Supply Lines Relocation Agreement, and the subsequent transfer of easements. (Real Estate Department)

(Fiscal impact.)

Resolution No. 853-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011775 **[Water Contract Amendments, Cities of East Palo Alto and Menlo Park]**

Resolution approving contract amendments to water supply contracts between the San Francisco Public Utilities Commission and the Cities of East Palo Alto and Menlo Park (Public Utilities Commission)

Resolution No. 854-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Public Health and Environment Committee

011520 **[Expend DOC Beverage Container Recycling Payment]**

Resolution authorizing the City Administrator to expend retroactively a $230,484 payment from the Department of Conservation (DOC) for fiscal year 2000/2001. (Administrative Services Department)

Supervisor Peskin, seconded by Supervisor Leno moved to amend.
10/29/01, On line 3, delete "City Administrator" and insert "Department of the Environment."
AMENDED.

Resolution authorizing the Department of the Environment to expend retroactively a $230,484 payment from the Department of Conservation (DOC) for fiscal year 2000/2001. (Administrative Services Department)

Resolution No. 850-01

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011829 **[Grant - Substance Abuse Services]**
Supervisors Leno, Newsom, Peskin

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of $1,105,000 from the Substance Abuse and Mental Health Services Administration (SAMHSA) and the Center for Substance Abuse Treatment (CSAT), for the period of August 1, 2001, to July 31, 2002. (Public Health Department)

Resolution No. 845-01
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

PUBLIC COMMENT

Ernestine Weiss, concerns regarding affordable housing; loitering laws; wood-burning fireplaces; and loud music.
Michael Petrelis, comments regarding ad in "Reporter", August 1999 by Dr. Klosner on syphilis.
Vernon Jenkins, Jr., commenting on the importance of voting.
William Campbell, concerns regarding openly urinating on City streets.
John Debana, praising firefighters.
Christine, commenting on redevelopment of affordable housing on Sixth Street.
John Elberling, Executive Vice President TODCO, comments on the Plaza Hotel SRO Project.
Male, falsely accused of crime.
Male, concerns regarding the homeless count.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

011853 **[Lifeline Transit Network]**
Supervisors Leno, Daly, Peskin

Resolution supporting the creation of a regional lifeline transit network, urging the Metropolitan Transportation Commission (MTC) to complete the Lifeline Transit Network and fully fund its implementation in the Regional Transportation Plan (RTP) and urging MTC to adopt lifeline transportation measures for projects proposed for the Regional Transit Expansion Program (RTEP).

Resolution No. 857-01
ADOPTED

011911 **[Runoff Absentee Ballot]**
Supervisors Gonzalez, Peskin

Resolution urging the California State Legislature to amend State election law so that persons requesting absentee ballots for the general election will also receive absentee ballots for the resulting runoff election.

Resolution No. 858-01
ADOPTED

011912 **[Disaster Preparedness Testing]**
Supervisor Leno

Resolution urging the San Francisco Department of Emergency Communications and the Office of the Mayor to institute an interdepartmental disaster preparedness test, and further urging the Association of Bay Area Governments to begin similar intergovernmental disaster preparedness testing.

Resolution No. 866-01
ADOPTED

011913 **[City Hall Café]**
Supervisor Leno

Resolution approving the management agreement, dated November 1, 2001, between the City of San Francisco and Mrs. Chong Sook Park, for the operation of the City Hall Café.

Resolution No. 859-01
ADOPTED

011914 **[Wireless Carriers]**
Supervisor Newsom

Resolution urging the Emergency Communications Department, in collaboration with the San Francisco Telecommunications Commission, to implement 9-1-1 in the wireless carrier environment to enhance current emergency operations by the Emergency Communications Department's 911-Center.

Resolution No. 867-01
ADOPTED

011916 **[Commendation]**
Supervisors Hall, Newsom, Leno

Resolution commending the San Francisco Public Utilities Commission, the City of Daly City, the Olympic Club, the Lake Merced Golf and County Club, and the San Francisco Golf Club for their work in reaching landmark agreements that will set in motion a plan to restore Lake Merced.

Resolution No. 861-01
ADOPTED

011917 **[Commendation]**
Supervisors Leno, Sandoval, Daly

Resolution commending the Mission Housing Development Corporation on its 30th Anniversary.

Resolution No. 862-01
ADOPTED

011918 **[Commendation]**
Supervisor Leno

Resolution commending the Eureka Valley Promotion Association on its 120th Anniversary.

Resolution No. 863-01
ADOPTED

011901 **[Final Map for a 12 Unit Live/Work Condominium Project]**
Motion approving Final Map of 1578 Indiana Street, a Live/Work Condominium Project, being a subdivision of Lot 20, Assessor's Block No. 4318, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,220; District 10.)

Motion No. M01-157
APPROVED

011906 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M01-158
APPROVED

011926 **[Final Map for a 12 Unit Live/Work Condominium Project]**
Motion approving Final Map of 1588 Indiana Street, a Live/Work Condominium Project, being a subdivision of Lot 21, Assessor's Block No. 4318, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,228; District 10.)

Motion No. M01-159
APPROVED

011927 **[Final Map for a 5 Unit Residential Condominium Project]**
Motion approving Final Map of 1649 - 1657 Greenwich Street, a Residential Condominium Project, being a subdivision of Lot 33, Assessor's Block No. 521, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,207; District 2.)

Motion No. M01-160
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Severed from Adoption Without Committee Reference

011754 **[Community Courts Working Group]**
Supervisors Newsom, Daly, McGoldrick

Resolution creating a Community Courts Working Group to be comprised of various stakeholders with the charge of making recommendations to the Mayor and the Board of Supervisors and setting forth the membership and duties of the working group.

Supervisor Newsom moved to refer to committee.
REFERRED to the Neighborhood Services and Parks Committee.

011915 **[Commendation]**
Supervisors Gonzalez, Hall

Resolution commending and congratulating Father Larry N. Lorenzoni, S.D.B. on the fiftieth anniversary of his ordination.

Supervisor Gonzalez severed to comment on.
Resolution No. 860-01
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011925 **[Commend - Mexican Museum]**
Supervisor Newsom

Resolution commending the Mexican Museum on its upcoming groundbreaking event to be held on Octber 25th, 2001.

Supervisor Gonzalez, seconded by Supervisor Sandoval moved to amend.
10/29/01, On page 1, line 3, delete "upcoming"; on line 4, delete "to be"; on line 18, delete "will" and change "host" to "hosted". On page 2, line 5, delete "upcoming" and replace "will be" with "was."
AMENDED.

Resolution commending the Mexican Museum on its groundbreaking event held on October 25th, 2001.

Resolution No. 864-01
ADOPTED AS AMENDED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011928 **[Final Map for a 136 Unit Residential Condominium Project]**
Motion approving Final Map of Loyola Village (301 - 399 Anza Street), a Residential Condominium Project, being a subdivision of Lot 7, Assessor's Block No. 1107, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,227; District 2.)

Supervisor McGoldrick excused from vote.
Motion No. M01-161
APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Excused: 1 - McGoldrick

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory

Supervisor Maxwell, seconded by Supervisor Leno, moved ADOPTION of the commendatory finding.. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

ADOPTION of the Brown Act finding.

Imperative Resolution

011959 **[Commendation]**
Supervisors Leno, Maxwell

Resolution commending Sojourner Truth Family Service Agency for ten years of service in San Francisco.

Resolution No. 865-01

Supervisor Maxwell, seconded by Supervisor Leno, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

011448 **[Internet Services Exchange]**
Supervisor Maxwell

Ordinance amending the San Francisco Planning Code by amending Sections 209.6, 790.80 and 890.80 to define Internet Services Exchange as a new use within the utility installation use category; by amending Sections 178, 227, 234.2, 303, 817, 818, 907, 908, 912, and 913 to establish a requirement for a conditional use authorization for Internet Services Exchanges; by amending Section 204 to include certain Internet Service Exchanges as an accessory use; and adopting findings.

(Planning Commission Resolution No. 16265 adopted 10/25/01 recommending approval. Received Certificate of Exemption/Exclusion from Environmental Review dated 10/18/01; revised Exemption/Exclusion from Environmental Review dated 11/21/01)

8/6/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 9/5/2001. 8/15/01 - Transmitted to Planning Commission for public hearing and recommendation.

10/29/01, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

10/29/01, ASSIGNED to Housing, Transportation and Land Use Committee.

011962 **[Prohibition on Video Signs and Rotating Signs]**
Supervisors Peskin, Leno

Ordinance amending Planning Code Sections 607 and 607.1 to prohibit the use of signs that project or emit animated video or video images of any kind in specified districts; amending Planning Code Section 607 to prohibit use of certain rotating signs in specified districts; making findings of consistency with the San Francisco General Plan and the Priority Policies of Planning Code Section 101.1; and making the prohibition on video signs retroactive to February 20, 2001.

(Received Certificate of Exemption/Exclusion from Environmental Review dated 12/17/01)

10/29/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 11/28/2001. 11/01/01 - Transmitted to Planning Commission for public hearing and recommendation.

Resolutions

011959 **[Commendation]**
Supervisors Leno, Maxwell

Resolution commending Sojourner Truth Family Service Agency for ten years of service in San Francisco.

10/29/01, ADOPTED.

011963 **[Plaza Hotel Site Development]**
Supervisors Daly, Peskin, Gonzalez, Ammiano, McGoldrick, Sandoval

Resolution supporting expeditious community-based development at the Plaza Hotel Site at 988-992 Howard Street in the South of Market earthquake recovery redevelopment area by TODCO with 115 units of new affordable housing and Bindlestiff Theater.

(District 6.)

10/29/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011964 [Agreement to Sell Property on Wilder Street, Glen Park]
Supervisors Leno, Daly, Hall

Resolution approving and authorizing an agreement with Glen Park Marketplace Phoenix, LLC, for the sale of real property located on Wilder Street in Glen Park, for a purchase price of $285,000; finding that competitive bidding is impractical or impossible; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution.
10/29/01, RECEIVED AND ASSIGNED to Finance Committee.

011965 [Limousine Parking Fines]
Supervisor Sandoval

Resolution establishing parking fines for limousine parking.
10/29/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee. Sponsor requests this item be scheduled for consideration at the November 8, 2001 meeting.

011966 [Potrero Power Plant Citizens Advisory Task Force]
Supervisors Maxwell, Daly, Peskin, Leno

Resolution amending Resolution No. 362-99, which established the Potrero Power Plant Citizens Advisory Task Force, and Resolution No. 1055-00 to extend the expiration date of the Task Force from October 31, 2001, to November 1, 2002.
10/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011967 [Conditional Use Authorization for Internet Service Exchange]
Supervisors Maxwell, Daly

Resolution extending for an additional six (6) month period interim controls to define internet services exchanges, include internet services exchanges within the utility installation use category and establish a requirement for a conditional use authorization for internet services exchanges in commercial and industrial zones, including without limitation, the C-1, C-2, C-3-G, C-3-S, C-M, M-1, M-2, SLI and SSO zones exclusive of lots under the jurisdiction of the San Francisco Port Commission or in a redevelopment project area with an adopted redevelopment plan under the jurisdiction of the San Francisco Redevelopment Agency Commission.
10/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011968 [Gift Acceptance]
Supervisors Maxwell, Newsom, Leno

Resolution accepting and expending a gift in place valued at approximately $378,000 from the Trust for Public Land to the Recreation and Park Department for the India Basin Shoreline Park.
10/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011969 **[Multifamily Housing Revenue Bonds]**
Supervisor Newsom

Resolution authorizing the issuance and sale of multifamily housing revenue bonds by California Statewide Communities Development Authority in an aggregate principal amount not to exceed $10,000,000 for Gough Street LLC.
10/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011970 **[Sexually Transmitted Diseases]**
Supervisor Sandoval

Resolution urging America Online to post warnings in their chatrooms for gay and bisexual men concerning the health risks of sexually transmitted diseases.
10/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011971 **[Planning Department Website Appeals Process]**
Supervisor Sandoval

Resolution urging the Planning Department to provide clear and accessible information concerning the right of appeal of a Planning Commission decision or determination by the Zoning Administrator on their website.
10/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011972 **[Assembly Bill 60]**
Supervisor Sandoval

Resolution urging the State of California and all state agencies including the Department of Motor Vehicles to implement Assembly Bill 60.
10/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011973 **[Commendation]**
Supervisor Gonzalez

Resolution commending the poet Carl Rakosi on the occasion of his 98th birthday.
10/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011974 **[Commendation]**
Supervisors Leno, McGoldrick, Maxwell, Ammiano, Daly, Peskin

Resolution commending California Governor Gray Davis for signing Assembly Bill 25, the Equal Benefits Ordinance.
10/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011975 **[Commendation]**
Supervisors Maxwell, Newsom, Leno

Resolution commending Leslie Burton Payne for his longtime dedication of service to the community of San Francisco and especially for his commitment of improving the lives of young African Americans.
10/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011976 **[Commendation]**
Supervisors Newsom, Peskin

Resolution commending the parishioners of and Committee to Save Saint Brigid Church for their service and efforts to preserve the architecture and cultural history of Saint Brigid Church, and to make the neighborhood in which it stands a better, cleaner, and safer place by its preservation.
10/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011977 **[Commendation]**
Supervisor Sandoval

Resolution commending Reverend Terrence L. Nichols for his continued contribution to the youth of San Francisco.
10/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011978 **[Commendation]**
Supervisors Sandoval, Newsom

Resolution commending Blue and Gold Fleet's commitment to the Bay Area's Environmental Health by using biodiesel fuel.
10/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011979 **[Commendation]**
Supervisors Sandoval, Daly, Newsom

Resolution commending the Coalition for San Francisco Neighborhoods for over 29 years of service throughout the community.
10/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011980 **[Commendation]**
Supervisors Sandoval, Newsom

Resolution commending Captain Michael Yalon for outstanding years of service as Police Captain of Taraval Police Station.
10/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011989 **[Commendation]**
Supervisors Ammiano, Daly, Newsom

Resolution commending Ms. Erika Goncalves for her recent appointment by Governor Gray Davis to serve as the 2001-2002 student member of the California State Board of Education and for her outstanding academic achievements and leadership in the San Francisco public school system.
10/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

001650 **[S.F. Housing Authority]**
Supervisor Ammiano

Hearing to examine the San Francisco Housing Authority's conformity to federal Quality and Housing Work Responsibility Act enacted in 1998.
9/18/00, RECEIVED AND ASSIGNED to Finance and Labor Committee. Sponsor requests this item be scheduled for consideration at the September 27, 2000 meeting.

2/1/01, TRANSFERRED to Housing, Transportation and Land Use Committee. New committee structure.

8/2/01, FILED PURSUANT TO RULE 5.38.

10/29/01, REACTIVATED PURSUANT TO RULE 5.24. Supervisor Ammiano requested this matter be reactivated.

10/29/01, ASSIGNED to Housing, Transportation and Land Use Committee. Sponsor requests that this item be scheduled for consideration at the November 29, 2001 meeting.

011981 **[Urban Forest]**
Supervisor Ammiano

Hearing on the financial resources needed to make certain that our urban forest continues to grow, is maintained, and can continue to provide benefits for all San Franciscans.
10/29/01, RECEIVED AND ASSIGNED to Finance Committee.

011982 **[Landfill Agreement with Waste Management]**
Supervisor Ammiano

Hearing to consider the Board of Supervisors' role in selecting a new landfill agreement for the City and County of San Francisco and to consider the space remaining under the City's current agreement with Waste Management, Inc. and Alameda County.
10/29/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

011983 **[Joint Hearing, HRC and EVSP on Human Rights Violations]**
Supervisor Newsom

Joint hearing of the Human Rights Commission and the Economic Vitality, Small Business & Social Policy Committee on backlash violence. human rights violations and discrimination in San Francisco in the wake of September 11, 2001.
10/29/01. RECEIVED AND ASSIGNED to Economic Vitality. Small Business and Social Policy Committee.

011984 **[Illegal General Advertising]**
Supervisor Leno

Hearing to get an update on the progress of enforcement of the City's new regulations on illegal general advertising.
10/29/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011985 **[Office of Labor Standards Enforcement]**
Supervisor Leno

Hearing to get a progress report on the work and staffing of the Office of Labor Standards Enforcement.
10/29/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

011986 **[Anticipated Shortfall in 2001 Tax Revenue]**
Supervisor Leno

Hearing on the Mayor's plans to address the anticipated shortfall in current year tax revenues.
10/29/01, RECEIVED AND ASSIGNED to Finance Committee.

011987 **[MUNI's CNG Bus Pilot Project]**
Supervisor Sandoval

Hearing on the preliminary update on MUNI's Compressed National Gas (CNG) bus pilot project.
10/29/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

011990 **[Lawsuit Challenging MBE/WBE Ordinance]**
Supervisor Yee

Hearing to address lawsuit challenging MBE/WBE Ordinance.
10/29/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

011992 **[Official Bi-lingual City Initiative 2001]**
Supervisor Ammiano

Hearing to consider the Official Bi-lingual City Initiative 2001.
10/29/01, RECEIVED AND ASSIGNED to Rules Committee.

Motions

011988 **[Legislative Analyst Request]**
Supervisor Sandoval

Motion requesting the Legislative Analysts to (1) provide general research and analysis on the feasibility of requiring San Francisco businesses to use biodegradable materials for packaging; (2) provide comparative information on other cities' laws and policies regarding businesses and the use of biodegradable packing.
10/29/01, ASSIGNED to Board of Supervisors. Scheduled for consideration November 5, 2001.

011991 **[Closed Session - MBE/WBE Ordinance]**
Supervisor Yee

Motion that the Board of Supervisors convene in closed session to address lawsuit challenging MBE/WBE Ordinance.
10/29/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration at the earliest date, Special Order at 3:00 p.m.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

011898 **[Speed Limit - 16th Street, between 3rd and 7th Streets]**
Supervisor Daly

Ordinance adding Section 175.34 to the San Francisco Traffic Code, establishing a 30-MPH speed limit for 16th Street, between 3rd and 7th Streets. (Parking and Traffic Department)
10/19/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011904 **[Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco and the Environmental Law Foundation against the United States Tobacco Company, other manufacturers of smokeless tobacco products, and major retail chains that sell smokeless tobacco in California, for $2,750,000; the lawsuit was filed on March 31, 1998 in San Francisco Superior Court, Case No. 993-992; entitled City and County of San Francisco and Environmental Law Foundation v. United States Tobacco Co., et al.; other material terms of said settlement are that the smokeless tobacco manufacturers shall distribute warning signs required by Proposition 65 to their retailers throughout the state, and that the retailer defendants shall post those signs. (City Attorney)
10/23/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

PROPOSED RESOLUTIONS

011899 **[Contracting for Security Services, Office of Contract Administration, Central Shops Division]**
Resolution concurring with the Controller's certification that security services can be practically performed by private contractor for lower cost than similar services performed by City and County employees. (Purchaser)
10/18/01, RECEIVED AND ASSIGNED to Finance Committee.

011900 **[Accept and Expend State Grant - Spousal Abuser Prosecution Program]**
Supervisors Leno, Newsom

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $120,000 from the California Department of Justice for a program entitled "Spousal Abuser Prosecution Program". (District Attorney)
10/18/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

011902 **[Settlement of Claim]**

Resolution approving the settlement of the unlitigated claim filed by Luis Lazaro against San Francisco for $30,000; claim was filed on 06-16-2000; additional material terms of said settlement are the signing of full and final release, minor compromise and dismissal of the City and County of San Francisco. (City Attorney)

10/22/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

011903 **[Accept and Expend Federal Technology Grant]**

Supervisor Sandoval

Resolution authorizing the Department of Aging and Adult Services to retroactively accept and expend a grant in the amount of $899,113 from the United States Department of Commerce Technology Opportunities Program to further implement elements of SF-GetCare. (Adult and Aging Services)

10/23/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee. Deputy Clerk scheduled this item for the November 20, 2001 meeting.

011929 **[Lease of Real Property]**

Resolution authorizing extension and amendment of a lease of real property at 1145 Market Street for the Department of Human Resources. (Real Estate Department)

(District 6.)

10/24/01, RECEIVED AND ASSIGNED to Finance Committee.

011946 **[Accept-Expend Federal Grant]**

Resolution authorizing the Airport Commission to accept and expend a grant in the amount of $2,000,000.00 from the Federal Aviation Administration (FAA) for acquisition of clean air vehicles and infrastructure, and related technical assistance. (Airport Commission)

10/23/01, RECEIVED AND ASSIGNED to Finance Committee.

011947 **[Accept-Expend Federal Grant]**

Resolution authorizing the Airport Commission to accept and expend a grant in the amount of $15,435,276.00 from the Federal Administration for assistance in projects under the Airport Improvement Program (A.I.P. 15). (Airport Commission)

10/23/01, RECEIVED AND ASSIGNED to Finance Committee.

Requests Granted

From: Supervisor Ammiano
To: District Attorney
To: Director, Department of Public Health
Requesting/Inquiring: That the District Attorney and the Director of the Department of Public Health work together to create a working group to revisit and update the health warnings about Amyl Nitrate, also known as "Poppers".

From: Supervisor Gonzalez
To: Director, Department of Public Works
Requesting/Inquiring: To report on the annual costs related to collecting and storing shopping carts.

From: Supervisor Hall
To: Director, Department of Elections
Requesting/Inquiring: To report on the status of the various investigations into the Department of Elections.

From: Supervisor Hall
To: General Manager, MUNI
Requesting/Inquiring: To report on MUNI safety, specifically:
1. Describe the internal process MUNI performs in determining liability in accidents involving MUNI buses.
2. What plans does MUNI have in place for improving safety at their median bus stops; in particular, what plans does MUNI have in place for the 19th Avenue and Winston bus stop?
3. Is it feasible to install pedestrian crossing gates at this location? If so, what steps need to be taken to install them? If it is not feasible, why not?

From: Supervisor Leno
To: Chief, Fire Department
Requesting/Inquiring: To report on the Fire Department's recommendations regarding fire exits on top floors of buildings as they relate to the Department of Building Inspection's (DBI) policies mandating construction of penthouses under certain circumstances. The following is context for this inquiry:
1. DBI is now requiring stair penthouse extensions in some cases to meet fire requirements, when the Fire Department previously approved of hatches/drop ladders. An example of this is the building on 4733 18th Street that DBI required to build a penthouse above the fourth floor of the building as a fire exit.
2. Building penthouses on top of buildings in residential neighborhoods can exacerbate neighborhood frustration with development in residential areas.
3. Does the Fire Department have any concerns with hatches/drop ladders since DBI is suggesting they are a fire problem?

From: Supervisor Maxwell
To: Executive Director, Department of Parking and Traffic
Requesting/Inquiring: To investigate and report on traffic calming options available for Oakdale Avenue, specifically between Ingalls and Griffith Streets including speed humps, crosswalks, proper signage and traffic lights; and the process and timeline by which the best options can be implemented.
Due: November 19, 2001

From: Supervisor McGoldrick
To: City Attorney
Requesting/Inquiring: To draft legislation exempting individuals applying for residential parking permits for electric or hybrid vehicles from paying fees for such permits.

From: Supervisor Peskin
To: Executive Director, Port
Requesting/Inquiring: Inquiring how the Port is adjusting its leasing expectations for maritime-oriented

tenants along the City's Northern Waterfront considering economic changes in the local commercial real estate market. (See attachment.)

From: Supervisor Sandoval
To: City Attorney
To: General Manager, Public Utilities
Requesting/Inquiring: That the City Attorney and the General Manager of Public Utilities report on the status and legality of the transfer of the Balboa Reservoir to City College.

From: Supervisor Yee
To: Director, Department of Public Works
Requesting/Inquiring: To report if the Department is issuing filtering masks to street sweepers under the Department's supervision.

In Memoriams

None

ADJOURNMENT

There being no further business, the Board at the hour of 3:41 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 7, 2002.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

/01

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.
FEB 26 2002
SAN FRANCISCO
PUBLIC LIBRARY

Monday, November 5, 2001 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Audit, Labor and Government Efficiency Committee Supervisors Newsom, Daly, McGoldrick	2nd & 4th Tuesday 1:00 PM
City and School District Committee Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar	Call of the Chair
Economic Vitality, Small Business and Social Policy Committee Supervisors Sandoval, Newsom, Maxwell	1st & 3rd Tuesday 10:00 AM
Finance Committee Supervisors Leno, Peskin, Gonzalez	Wednesday 10:00 AM
Housing, Transportation and Land Use Committee Supervisors McGoldrick, Daly, Peskin	2nd & 4th Thursday 10:00 AM
Neighborhood Services and Parks Committee Supervisors Yee, Hall, Sandoval	1st & 3rd Tuesday 1:00 PM
Public Health and Environment Committee Supervisors Maxwell, Yee, Leno	2nd & 4th Tuesday 10:00 AM
Public Utilities and Deregulation Committee Supervisors Daly, Gonzalez, Ammiano	Call of the Chair
Rules Committee Supervisors Gonzalez, Hall, Ammiano	1st & 3rd Thursday 1:00 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 96 Number 43

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:07 p.m. On call of the roll, all Supervisors were noted present.

Quorum present.

APPROVAL OF MEETING MINUTES

Motion to approve the September 17 and September 24, 2001, Meeting Minutes.

Supervisor Leno, seconded by Supervisor Sandoval, moved to approve the September 17 and September 24, 2001 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Introduction of Guests

Supervisor Sandoval introduced, welcomed and presented a Certificate of Honor to Captain Michael Yalon, Taraval Police Station.

Supervisor Gonzalez introduced, welcomed and presented a commendation to Carl Rakosi.

AGENDA CHANGES

The President inquired if there were any changes to the aenda members were aware of which needed to be continued, tabled or considered differently.

There were none.

COMMUNICATIONS

CONSENT AGENDA

Items 1 through 6

Recommendation of the Audit, Labor and Government Efficiency Committee

011780 **[Settlement of Lawsuit]**
Ordinance authorizing settlement of the attorneys' fees and costs in the matter of Tayac v. City and County of San Francisco for $99,500. The lawsuit was filed on September 26, 1995, in United States District Court, Case No. C95-3424 CAL; entitled Tayac v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 226-01
FINALLY PASSED

Recommendations of the Finance Committee

011578 **[Business and Tax Regulations Code Amendment]**
Supervisors Peskin, Daly, Gonzalez, Maxwell, McGoldrick

Ordinance amending the San Francisco Business and Tax Regulations Code by amending Article 1, Section 8(h), to provide that an appeal to the Board of Appeals of an action by the Zoning Administrator or Director of the Department of Building Inspection stopping work under or suspending an issued permit does not suspend the action pending the Board's decision; providing that this ordinance shall apply retroactively to appeals filed on or after the date of introduction.

Ordinance No. 223-01
FINALLY PASSED

011827 **[Lease with Japan Airlines Company, Ltd.]**
Resolution approving and authorizing, retroactive to October 26, 2001, the execution of a Lease with Japan Airlines Company, Ltd., for space in Plot 50B-1 Cargo Building. (Airport Commission)

Resolution No. 875-01
ADOPTED

Recommendations of the Housing, Transportation and Land Use Committee

011721 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
23rd and Hampshire Streets, northwest and southeast corners, stopping 23rd Street (makes this an all-way STOP)
24th and Hampshire Streets, northwest and southeast corners, stopping 24th Street (makes this an all-way STOP)
Grafton and Granada Avenues, northeast and southwest corners, stopping Grafton Avenue (makes this an all-way STOP)
Laidley and Roanoke Streets, northeast and southwest corners, stopping Roanoke Street (makes this an all-way STOP) (Parking and Traffic Department)

(DPT Order No. 2309.)

Resolution No. 871-01
ADOPTED

011722 **[Traffic Regulations]**
Supervisor Peskin

Resolution enacting and rescinding traffic regulations on various streets.

LEFT LANE MUST TURN LEFT, EXCEPT MUNI - RESCIND

MULTIPLE RIGHT TURN LANES - ESTABLISH
Northpoint Street, eastbound, at The Embarcadero (Parking and Traffic Department)

(DPT Order No. 2309.)

Resolution No. 872-01
ADOPTED

011878 **[Parking Regulations]**

Resolution enacting parking regulations.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
19th Street, both sides, between Seward and Yukon Streets (4600 block) (Parking and Traffic Department)

(DPT Order No. 2295.)

Resolution No. 877-01
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Ammiano

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Finance Committee

011678 **[Appropriation, Ethics Commission]**
Supervisors Leno, Daly, Gonzalez

Ordinance re-appropriating $34,947 of General Fund Proposition O funding for one position to perform investigations by the Ethics Commission for Fiscal Year 2001-2002, and amending Annual Salary Ordinance for Fiscal Year 2001-02.

(Companion measure to File 011679.)

Ordinance No. 224-01
FINALLY PASSED by the following vote:
Ayes: 10 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Ammiano

011679 **[Amending Annual Salary Ordinance 2001-02, Ethics Commission]**
Supervisors Leno, Daly

Ordinance amending Ordinance No. 171-01 (Annual Salary Ordinance 2001/02) reflecting the creation of one position at the Ethics Commission.

Ordinance No. 225-01
FINALLY PASSED by the following vote:
Ayes: 10 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Ammiano

011743 **[Compensation for City Employee Called to Active Military Duty]**
Mayor, Supervisors Daly, Newsom

Ordinance amending the 2001-2002 Annual Salary Ordinance to entitle City officers or employees called to active duty with a military reserve organization to receive from the City the difference between the amount of the individual's military pay and the amount the individual would have received as a City officer or employee had the individual worked his or her normal work schedule. (Mayor)

(Fiscal impact.)

Ordinance No. 222-01
FINALLY PASSED by the following vote:
Ayes: 10 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Ammiano

NEW BUSINESS

Recommendations of the Finance Committee

011563 **[SF Public Utilities Commission Program Management Services Contract with the San Francisco Water Alliance]**
Resolution approving, retroactively, the second year renewal (FY 2001-2002) of the Public Utilities Commission Program Management Services Contract with the San Francisco Water Alliance; releasing $3,000,000 of the Program Management Office funds. (Public Utilities Commission)

(Fiscal impact.)
(Supervisor Gonzalez dissenting in Committee)

Resolution No. 868-01
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Gonzalez

011738 **[Easement Exchange - Niles Reservoir in the City of Fremont]**
Resolution authorizing the exchange of easements in the Niles District of the City of Fremont thereby allowing public street access to San Francisco Public Utilities Commission Niles Reservoir Property, Alameda County Water District Property and George Emmett Revocable Trust Property, and authorizing the execution of a quitclaim deed vacating a portion of the interest of the San Francisco Public Utilities Commission in an existing tunnel easement encumbering adjacent properties. (Real Estate Department)

Resolution No. 873-01
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011881 **[Contract between the Department of Public Health and Health Advocates, LLP to provide uncompensated care recovery services]**

Resolution authorizing the Director of Public Health and the Purchaser to execute a contract between the City and County of San Francisco and Health Advocates, LLP to provide uncompensated care reimbursement recovery services. (Public Health Department)

Resolution No. 878-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011889 **[Office of the Legislative Analyst Staff Vacancy]**

Motion to authorize the Clerk of the Board to fill a vacancy in the Office of the Legislative Analyst for the position of Senior Legislative Analyst. (Clerk of the Board)

(Supervisor Peskin dissenting in Committee)

Motion No. M01-164

APPROVED by the following vote:

Ayes: 8 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Sandoval
Noes: 3 - Ammiano, Peskin, Yee

011828 **[Public Utilities Commission State Loan]**

Resolution amending Resolution 720-99, which authorized the Public Utilities Commission to apply for and enter into loan agreements not to exceed $50 million for the reimbursement of prior expenditures incurred for the construction of the Islais Creek/Rankin Street Transport Storage Facilities and to apply such reimbursed monies to defease certain bonds of the Clean Water Enterprise, to also authorize the application of a portion of such reimbursed monies to fund certain capital projects of the Clean Water Enterprise; placing $3.5 million on reserve. (Public Utilities Commission)

Resolution No. 876-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Housing, Transportation and Land Use Committee

011102 **[Amending the Jobs Housing Linkage Program Ordinance]**
Supervisors Gonzalez, Daly

Ordinance amending the San Francisco Planning Code by amending Section 313.5 to change the formula used in the Jobs Housing Linkage Program to determine the number of affordable housing units a housing developer is required to build if an office developer elects to comply with the Jobs Housing Linkage Program Ordinance by payment of money or land to a housing developer.

(Planning Commission Resolution #16255 adopted 9/6/01 recommending approval)
(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011710 **[Occupancy of the south side of Natoma Street during construction operations at 500 Howard Street]**
Resolution granting revocable permission to Webcor Builders to temporarily close and occupy a portion of the sidewalk and roadway areas on the southerly side of Natoma Street, westerly of 1st Street, during construction operations at 500 Howard Street (Assessor's Block 3721, Lot 011). (Public Works Department)

(District 6)

Resolution No. 869-01
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011714 **[Occupancy of the south side of Natoma Street during construction operations at 1166 Howard Street]**
Resolution granting revocable permission to Cahill/LEM Joint Venture to temporarily close and occupy a portion of the sidewalk area on the southerly side of Natoma Street, easterly of 8th Street, during construction operations at 1166 Howard Street (Assessor's Block 3727, Lot 202). (Public Works Department)

10/25/01 Amended on page 4, line 16. After "pay" strike "a non-refundable fee of $11,000 for the one-year duration of said occupancy" and add the following: "the actual cost of inspection to the Department of Public Works not to exceed a total amount of $4,000."
(District 6)

Resolution No. 870-01
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011732 **[Amendment to Port Lease at 1 Ferry Plaza]**
Supervisor Peskin

Resolution approving Third Amendment to Port Lease No. L-8627 with Ferry Plaza Limited Partnership, for leased premises located at 1 Ferry Plaza. (Port)

Resolution No. 843-01
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011781 **[Occupation of McAllister Street and Fulton Street during the construction operations at 1750 Fulton Street]**
Resolution granting revocable permission to Roberts-Obayashi Corporation to temporarily close and occupy a portion of the sidewalk and parking lane for a nine (9) month period on the south side of McAllister Street, between Masonic and Central Avenues and one westbound traffic lane on Fulton Street with intermittently closure of the north sidewalk between Masonic and Central Avenue during construction operations at 1750 Fulton Street (Block 1175, Lot 010). (Public Works Department)

(District 5)

11/05/01 - Supervisor Gonzalez, seconded by Supervisor Newsom moved to amend.
On Page 1, line 5, replace "nine (9)" with "five (5)". On Page 2, line 3, replace "nine (9)" with "five (5)". On Page 2, line 4 replace "July 31" with "March 31".

Supervisor Peskin, seconded by Supervisor Leno moved to amend.
On Page 4, line 3, replace "$37,912.50" with "$21,062.50" and "nine" with "five".
AMENDED.

Resolution granting revocable permission to Roberts-Obayashi Corporation to temporarily close and occupy a portion of the sidewalk and parking lane for a five (5) month period on the south side of McAllister Street, between Masonic and Central Avenues and one westbound traffic lane on Fulton Street with intermittently closure of the north sidewalk between Masonic and Central Avenue during construction operations at 1750 Fulton Street (Block 1175, Lot 010). (Public Works Department)

(District 5)

Resolution No. 874-01

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

From the Rules Committee With Recommendation "Do Submit"

011659 **[Charter Amendment - Cost of Living Benefits for Retirees]**

Supervisors McGoldrick, Hall, Daly, Sandoval, Newsom, Maxwell, Ammiano

Charter amendment (First Draft) to amend Appendix A8.526-1, relating to supplemental cost of living benefits for retirees and their survivors.

(Fiscal impact.)

Continued to November 13, 2001.

CONTINUED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

SPECIAL ORDER 3:00 P.M.

011894 **[Public Hearing - Appeal, Conditional Use, 1101 O'Farrell]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16234 adopted September 13, 2001, approving a conditional use authorization (Case No. 2000.961C) through a Planned Unit Development allowing for the demolition of an existing three-story building and the construction of a new twenty three-story, 240-foot tall, approximately 308,395 square-foot, 240-unit Senior Housing Facility; and the conversion of the second floor at 1001 Franklin Street from residential space to social services/support office spaces per Sections 303 and 304 of the Planning Code for the property on Assessor's Block 713, Lot 33; and Assessor's Block 720, Lots 35 and 36 in an RM-4 (Residential, Mixed, High Density) Zoning District with an 240-G Height and Bulk District at 1101 O'Farrell Street, southwest corner of O'Farrell (a.k.a. Starr King Way) and Franklin Streets, in an area known as St. Mark's Square.

(Appeal filed October 15, 2001; Final Negative Declaration adopted and issued on September 13, 2001; companion measure to Files 011895, 011896, 011897; District District 6.)

Speakers:

Lawrence Cobra, speaking for appellant;
Greg Meyer, supports appeal;
Brad Smith, supports appeal;
Dolores Perez Pretem, supports appeal;
female speaker, supports appeal;
Bernard Choden, supports appeal;
Danny McChessery, supports appeal;
Maryanne Miller, supports appeal;
John Rutherford, supports appeal;
female speaker, supports appeal;
Charles Murseller, supports appeal;
Roger Brannon, supports appeal;
Michael Lofer, supports appeal;
Alan Surkey, supports appeal;
Gerald G. Green, Director, Planning Department;
Penny DeKatso, Deputy General Counsel, Redevelopment Agency;
Jan Walmer, project sponsor
Pastor Elizabeth Pasdel, supports project;
John Clauson, supports project;
Jeffery Heller, supports project;
Walter Johnson, supports project;
Richard Carey, supports project;
Bob Planthold, supports project;
David Looman, supports project;
Ellen Tweedy, supports project;
Barbara Engmann, supports project;
Wolfred Lava, supports project;
Gary Schillis, supports project;
Father Louie Vitale, supports project;
August Longo, supports project;
male speaker, supports project;
Ron Miguel, supports project;
Margaret Williams, supports project;
Paul Hetty, supports project;
Judy Ningth, supports project;
Geraldine Pratt, supports proejct;
Ed Michael, supports project;
Dan Galven, supports project;
David Madway, supports project;
Linda Grasser Ross, supports project;

Steven Kreffing, supports project.

Continued to December 3, 2001.

Supervisor Sandoval, seconded by Supervisor Gonzalez, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Yee

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

011895 **[Appeal, Conditional Use, 1101 O'Farrell]**

Motion approving decision of the Planning Commission by its Motion No. 1634 approving Conditional Use Application No. 2000.961C, on property located at 1101 O'Farrell Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to December 3, 2001.

Supervisor Sandoval, seconded by Supervisor Gonzalez, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Yee

011896 **[Appeal, Conditional Use, 1101 O'Farrell]**

Motion disapproving decision of the Planning Commission by its Motion No. 1634 approving Conditional Use Application No. 2000.961C, on property located at 1101 O'Farrell Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to December 3, 2001.

Supervisor Sandoval, seconded by Supervisor Gonzalez, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Yee

011897 **[Findings - 1101 O'Farrell Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2000.961C, on property located at 1101 O'Farrell Street, for action by the Board at its next meeting. (Clerk of the Board)

Continued to December 3, 2001.

Supervisor Sandoval, seconded by Supervisor Gonzalez, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Yee

COMMITTEE REPORTS

From Rules Committee

010907 **[Charter Amendment - Noncitizens on City Boards, Commissions, and Advisory Bodies]**
Supervisors Gonzalez, Daly, Maxwell

Charter amendment (Second Draft) to amend Section 4.101 to permit noncitizens to serve on appointive boards, commissions, and advisory bodies, and to clarify existing provisions allowing nonelectors to serve on appointive boards, commissions, and advisory bodies.

Continued to November 13, 2001.

Supervisor Leno, seconded by Supervisor Daly, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

010964 **[Appointments to the Planning Commission and the Board of Appeals]**
Supervisors McGoldrick, Gonzalez, Ammiano, Hall, Daly, Leno, Maxwell, Sandoval

Charter amendment (Second Draft) to amend Sections 4.105 and 4.106 to provide that appointments to the Planning Commission and the Board of Appeals shall be shared by the Mayor and the Board of Supervisors.

Continued to November 13, 2001.

Supervisor Gonzalez, seconded by Supervisor Sandoval, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

012001 **[Appointments of members to the Planning Commission, the Board of Appeals and the Building Inspection Commission]**
Supervisor McGoldrick

Charter Amendment (First Draft) to amend Sections 4.105, 4.106, 4.121 and 15.105 to provide that appointments of members to the Planning Commission, the Board of Appeals and the Building Inspection Commission shall be shared by the Mayor and the Board of Supervisors, and to provide that these appointed members may only be removed for official misconduct.

Prepared in Board as a Charter amendment. Continued to November 13, 2001. Board to sit as a "Committee of the Whole".

COMMITTEE OF THE WHOLE RISE AND REPORT WITHOUT RECOMMENDATION

Supervisor Gonzalez, seconded by Supervisor Sandoval, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

010968 **[Mayor's Budget deadline]**
Supervisors McGoldrick, Daly

Charter amendment (Second Draft) to amend Section 9.100 to require the Mayor, beginning in 2003, to submit the proposed budget to the Board of Supervisors not later than April 15 of each year.

(Supervisor Ammiano dissenting in Committee.)

Continued to November 13, 2001.

Supervisor McGoldrick, seconded by Supervisor Newsom, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Newsom, Sandoval, Yee
Noes: 4 - Gonzalez, Hall, Leno, Peskin

011657 **[Charter Amendment - Domestic Partner Benefits]**
Supervisors Leno, Daly

Charter amendment (Second Draft) to amend Appendix 8.500-2, relating to domestic partner benefits.

Continued to November 13, 2001.

Supervisor Leno, seconded by Supervisor Daly, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdalla Megahed, concern about City Attorney;
Rubin Goodman, lost revenue for City;
Vernon Jenkins, civic duty to vote;
Michael Petrellis, venereal diseases.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

011923 **[Legislative Analyst Request]**
Supervisor Newsom

Motion asking the Office of the Legislative Analyst to provide staff assistance to the Emergency Room Diversion Task Force.

Supervisor Newsom, seconded by Supervisor Leno, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Leno, Maxwell, McGoldrick, Newsom, Sandoval
Absent: 4 - Gonzalez, Hall, Peskin, Yee

011988 **[Legislative Analyst Request]**
Supervisor Sandoval

Motion requesting the Legislative Analysts to (1) provide general research and analysis on the feasibility of requiring San Francisco businesses to use biodegradable materials for packaging; (2) provide comparative information on other cities' laws and policies regarding businesses and the use of biodegradable packing.

APPROVED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Sandoval, Yee
Absent: 2 - Hall, Peskin

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 38 through 53

011966 **[Potrero Power Plant Citizens Advisory Task Force]**
Supervisors Maxwell, Daly, Peskin, Leno

Resolution amending Resolution No. 362-99, which established the Potrero Power Plant Citizens Advisory Task Force, and Resolution No. 1055-00 to extend the expiration date of the Task Force from October 31, 2001, to November 1, 2002.

Resolution No. 879-01
ADOPTED

011967 **[Conditional Use Authorization for Internet Service Exchange]**
Supervisors Maxwell, Daly

Resolution extending for an additional six (6) month period interim controls to define internet services exchanges, include internet services exchanges within the utility installation use category and establish a requirement for a conditional use authorization for internet services exchanges in commercial and industrial zones, including without limitation, the C-1, C-2, C-3-G, C-3-S, C-M, M-1, M-2, SLI and SSO zones exclusive of lots under the jurisdiction of the San Francisco Port Commission or in a redevelopment project area with an adopted redevelopment plan under the jurisdiction of the San Francisco Redevelopment Agency Commission.

Resolution No. 893-01
ADOPTED

011968 [Gift Acceptance]
Supervisors Maxwell, Newsom, Leno

Resolution accepting and expending a gift in place valued at approximately $378,000 from the Trust for Public Land to the Recreation and Park Department for the India Basin Shoreline Park.

Resolution No. 880-01
ADOPTED

011969 [Multifamily Housing Revenue Bonds]
Supervisor Newsom

Resolution authorizing the issuance and sale of multifamily housing revenue bonds by California Statewide Communities Development Authority in an aggregate principal amount not to exceed $10,000,000 for Gough Street LLC.

Resolution No. 846-01
ADOPTED

011971 [Planning Department Website Appeals Process]
Supervisor Sandoval

Resolution urging the Planning Department to provide clear and accessible information concerning the right of appeal of a Planning Commission decision or determination by the Zoning Administrator on their website.

Resolution No. 894-01
ADOPTED

011972 [Assembly Bill 60]
Supervisor Sandoval

Resolution urging the State of California and all state agencies including the Department of Motor Vehicles to implement Assembly Bill 60.

Resolution No. 881-01
ADOPTED

011973 [Commendation]
Supervisor Gonzalez

Resolution commending the poet Carl Rakosi on the occasion of his 98th birthday.

Resolution No. 882-01
ADOPTED

011974 [Commendation]
Supervisors Leno, McGoldrick, Maxwell, Ammiano, Daly, Peskin

Resolution commending California Governor Gray Davis for signing Assembly Bill 25, the Equal Benefits Ordinance.

Resolution No. 883-01
ADOPTED

011975 [Commendation]
Supervisors Maxwell, Newsom, Leno

Resolution commending Leslie Burton Payne for his longtime dedication of service to the community of San Francisco and especially for his commitment of improving the lives of young African Americans.

Resolution No. 884-01
ADOPTED

011977 [Commendation]
Supervisor Sandoval

Resolution commending Reverend Terrence L. Nichols for his continued contribution to the youth of San Francisco.

Resolution No. 886-01
ADOPTED

011978 [Commendation]
Supervisors Sandoval, Newsom

Resolution commending Blue and Gold Fleet's commitment to the Bay Area's Environmental Health by using biodiesel fuel.

Resolution No. 887-01
ADOPTED

011979 [Commendation]
Supervisors Sandoval, Daly, Newsom

Resolution commending the Coalition for San Francisco Neighborhoods for over 29 years of service throughout the community.

Resolution No. 888-01
ADOPTED

011980 [Commendation]
Supervisors Sandoval, Newsom

Resolution commending Captain Michael Yalon for outstanding years of service as Police Captain of Taraval Police Station.

Resolution No. 889-01
ADOPTED

011989 [Commendation]
Supervisors Ammiano, Daly, Newsom

Resolution commending Ms. Erika Goncalves for her recent appointment by Governor Gray Davis to serve as the 2001-2002 student member of the California State Board of Education and for her outstanding academic achievements and leadership in the San Francisco public school system.

Resolution No. 890-01
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Severed from Adoption Without Committee Reference

011970 [Sexually Transmitted Diseases]
Supervisor Sandoval

Resolution urging America Online to post warnings in their chatrooms for gay and bisexual men concerning the health risks of sexually transmitted diseases.

Supervisor Sandoval, seconded by Supervisor Leno, moved that this Resolution be TABLED. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011976 [Commendation]
Supervisors Newsom, Peskin

Resolution commending the parishioners of and Committee to Save Saint Brigid Church for their service and efforts to preserve the architecture and cultural history of Saint Brigid Church, and to make the neighborhood in which it stands a better, cleaner, and safer place by its preservation.

11/05/01 - Supervisor Newsom, seconded by Supervisor Leno moved to amend.
On Page 1, line 3 after "the" insert "use"; on line 10, replace "Six" with "Eight"; on line 12, replace "other neighborhoods" with "the neighborhood"; line 21, replace "six" with "seven"; replace "and" with "now, therefore, be it"; line 24 after "the" insert "use" after "architecture" insert ",". On Page 2, line 5, delete "represented by the Committee to Save Saint Brigid Church".
AMENDED.

Resolution commending the parishioners of and Committee to Save Saint Brigid Church for their service and efforts to preserve the use, architecture, and cultural history of Saint Brigid Church, and to make the neighborhood in which it stands a better, cleaner, and safer place by its preservation.

Resolution No. 885-01
ADOPTED AS AMENDED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Newsom, seconded by Supervisor Leno, moved. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Newsom, seconded by Supervisor Leno, moved Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Imperative Agenda

012000 **[Peter Tamaras Day]**
Supervisors Hall, Newsom

Resolution proclaiming November 11, 2001 as Supervisor Peter Tamaras Day in the City and County of San Francisco.

Resolution No. 891-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

012002 **[Official Arguments in Voter Guide]**
Supervisor Hall

Ordinance amending Section 545 of the Municipal Elections Code (a) to allow individuals and organizations to submit only one free ballot argument per measure and (b) to establish a new priority level for state and local elected officials registered to vote in San Francisco who submit ballot arguments.
11/5/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/5/2001

012003 **[Retirement Benefits]**
Supervisor McGoldrick

Ordinance amending Administrative Code Section 16.37-1 to provide for the setting of interest and mortality rates for retirement allowances.
11/5/01, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 12/5/2001.

012004 **[Real Estate Loan Counseling and Education Program]**
Supervisor Yee

Ordinance adding Chapter 92 to the Administrative Code approving a pilot consumer counseling and educational program in the Department of Aging and Adult Services, including distribution of educational materials on predatory loan practices, and provision of individual loan counseling for loans secured by San Francisco residential property.
11/5/01, ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Parks Committee, expires on 12/5/2001.

012005 **[Prohibition of Predatory Home Mortgage Loans]**
Supervisor Yee

Ordinance adding a new Chapter 93 to the Administrative Code, prohibiting home mortgage lenders from making loans in violation of defined practices, providing for good faith compliance and opportunity to cure violations, and for civil penalties and injunctive relief.
11/5/01, ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Parks Committee, expires on 12/5/2001.

Resolutions

012000 **[Peter Tamaras Day]**
Supervisors Hall, Newsom

Resolution proclaiming November 11, 2001 as Supervisor Peter Tamaras Day in the City and County of San Francisco.
11/5/01, ADOPTED.

012006 **[Sanctuary for Medical Cannabis]**
Supervisors Leno, Maxwell, Gonzalez, Yee, Daly, Newsom, Ammiano, McGoldrick, Peskin

Resolution declaring the City and County of San Francisco a sanctuary for medical cannabis use, cultivation, and distribution, and urging the District Attorney for the City and County of San Francisco, the San Francisco Police Department, the San Francisco Sheriff's Department, the Attorney General for the State of California, and the California Department of Consumer Affairs - Medical Board of California not to assist in the harassment, arrest or prosecution of physicians, medical cannabis dispensaries, individual patients, or their primary caregivers attempting to comply with section 11362.5 of the California Health and Safety Code.
11/5/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

012007 **[Revenue Bonds - ABAG Finance Authority]**
Supervisor Hall

Resolution authorizing the issuance and sale of revenue bonds by ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $ 20,000,000 for the California School of Mechanical Arts, or an affiliate.
11/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012008 **[Proclamation]**
Supervisor Hall

Resolution proclaiming December 3-9, 2001 as Operation Self-Reliance Week in San Francisco during which volunteers will conduct a door-to-door enrollment campaign for the Disaster Registry.
11/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012009 **[Bicycle Lane on San Jose Avenue and Dolores Street]**
Supervisor Leno

Resolution establishing a striped bicycle lane on San Jose Avenue northbound from Milton Street to Randall Street; on San Jose Avenue southbound from Randall Street to the Monterey exit; and on Dolores Street southbound from 30th Street to San Jose Avenue.
11/5/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

012010 **[Native American Month]**
Supervisors Newsom, Leno

Resolution declaring the month of November as "Native American" Month in the City and County of San Francisco.
11/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012011 **[Assembly Bill 25]**
Supervisor Sandoval

Resolution urging the California Legislature to support the efforts to introduce an amendment to AB 25
11/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012012 **[Commend - Mrs. Doris Neumann]**
Supervisors Hall, Newsom

Resolution commending Mrs. Doris Neumann for her 43 years of consecutive service to the Department of Elections and to the voters of San Francisco as a poll worker at 50 Allston Way.
11/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012013 **[Commend - Kathleen Connell and Michael Valerio]**
Supervisors Leno, Newsom

Resolution commending Kathleen Connell and Michael Valerio, founders of the Folsom Street Fair.
11/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012014 **[Commend - Reverend Cecil Williams and Janice Mirikitani]**
Supervisors Maxwell, Leno, Newsom

Resolution commending Reverend Cecil Williams and Janice Mirikitani for their exemplary services and dedication to San Francisco and proclaiming Friday, November 16, 2001 Cecil Williams and Janice Mirikitani day.
11/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012015 **[Commend - Potrero Hill Neighborhood House]**
Supervisors Maxwell, Peskin, Newsom, Leno

Resolution commending the Potrero Hill Neighborhood House for their commitment and dedication to serving the Potrero Hill community and for their relentless efforts to improve the quality of life for the residents in San Francisco.
11/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012016 **[Commend - Irish American Democratic Club]**
Supervisor Newsom

Resolution commending the Irish American Democratic Club San Francisco for raising their voice on issues critical to San Francisco voters, in particular for advocating for the creation of a special day in memory of the late President John Fitzgerald Kennedy by making it a memorial (unpaid) holiday.
11/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012017 **[Commend - Green Patrol]**
Supervisors Peskin, Newsom, Leno

Resolution commending the Green Patrol for launching its innovative pilot cleaning program in North Beach.
11/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012018 **[Commend - Youth Vote Coalition]**
Supervisors Sandoval, Newsom

Resolution commending the Youth Vote Coalition for creating a forum for students to register their opinion on current candidates and propositions, and the election of a student delegate to the Board of Education.
11/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

012019 **[Hotel Leland]**
Supervisor Ammiano

Hearing into status of the reopening of the Hotel Leland.
11/5/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

012020 **[Storage Facilities for Homeless]**
Supervisor Ammiano

Hearing on the feasibility of providing more storage facilities for the homeless.
11/5/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

012021 **[Homeless Shelters]**
Supervisor Newsom

Hearing to discuss the hours of operations for all homeless shelters operated by the City and County of San Francisco. This discussion shall include, but not limited to: (1) Homeless shelter hours of operations; (2) MOUs of professional and non-professional staff who staff these shelters; (3) How do current operational hours contribute to the number of homeless persons being turned away due to closure of these shelters for clean up efforts.
11/5/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

012022 **[Centralized Intake for Homeless Services]**
Supervisor Newsom

Hearing to discuss the current method in which single homeless persons are introduced, assessed, and referred to citywide support services. This discussion will include, but not limited to: (1) The development of a centralized intake system for single homeless persons; (2) The development of a more efficient utilization of resources and expeditious bed assignment effort; (3) Current and/or future efforts to decrease eligibility and assessment time periods; (4) Current and/or future efforts to increase the accuracy of client identification through the utilization of improved information technology systems.
11/5/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

012023 **[Taxi Industry]**
Supervisor Newsom

Hearing to discuss the overall status of the taxi industry in light of the economic strife since September 11, 2001. This discussion will include, but not limited to gate caps, lease caps, meter rates and the recently published SPUR report and recommendations on the taxi industry.
11/5/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

012026 **[City Libraries]**
Hearing on the cooperative programming between the City Public Library and the School District. (San Francisco Unified School District)
11/5/01, RECEIVED AND ASSIGNED to City and School District Committee.

Motions

12024 **[Legislative Analyst Request - Biotechnology]**
Supervisor Maxwell

Motion requesting the Legislative Analysts to research and report on biotechnology (or life sciences) industry, particularly as it relates to:

(1) Business attraction and retention, including the economic conditions and incentives that attract biotechnology companies to localities.

(2) Planning, including how other jurisdictions: Define the industry; Incorporate the industry into the Planning Code; Treat different uses with the general category of biotechnology, specifically the office use and wet lab uses; Incorporate the industry into local land use planning, including its proximity and relationship to nearby land uses; Address building design issues, including rooftop equipment, exhaust systems, and seismic safety

(3) Health and Safety, including: Which federal, state and local health regulations are applicable; Have other jurisdictions adopted further health and safety controls.
11/5/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration November 13, 2001.

012025 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
11/5/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

011931 **[Double Parking on Municipal Railway Bus Routes Prohibit; Fines]**
Supervisors Newsom, McGoldrick, Daly

Ordinance amending Article 3, Chapter XI, Part II, Section 53(a) of the San Francisco Traffic Code removing sunset clause. (Parking and Traffic Department)
10/29/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011932 **[Speed Limit - Clarendon Avenue]**
Supervisor Hall

Ordinance amending Section 176.18 of the San Francisco Traffic Code clarifying the boundaries for the 35-MPH speed limit along Clarendon Avenue (Parks and Recreation Committee)
10/29/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011933 **[Special Traffic Permit Violation Penalties]**
Supervisor McGoldrick

Ordinance amending San Francisco Traffic Code Section 194.3. to provide a graduated penalty schedule for violation of the Special Traffic Permit or for obstructing traffic without a Special Traffic Permit. (Parking and Traffic Department)
10/29/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011934 **[Amending Administrative Code to increase the cash revolving fund for Public Health]**
Ordinance amending Section 10.154 of the San Francisco Administrative Code increasing the cash revolving account for Public Health from $25,000 to $43,000. (Public Health Department)
10/26/01, RECEIVED AND ASSIGNED to Finance Committee.

011940 **[Settlement Of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Mirant Potrero L.L.C. on June 19, 2001 in United States District Court - Northern District of California, Case No. C-01-2356 PJH; entitled City and County of San Francisco, et al., v. Mirant Potrero L.L.C.; which settlement provides that Mirant will pay the City $100,000, and that Mirant will not operate the Peaker units located at the Potrero Power Plant, known as Units 4, 5, and 6, beyond their permitted operational hours of 877 hours per year, except as expressly permitted by or pursuant to the Bay Area Air Quality Management District Rule 9-9, Mirant's permits, and all other applicable laws, rules, regulations and order. (City Attorney)

10/31/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

PROPOSED RESOLUTIONS

011930 **[Accept-Expend Federal Grant]**

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend grant funds made available through the U.S. Department of Justice-Office of Justice Programs for a project entitled "Internet Crimes Against Children (ICAC) Task Force Program - San Francisco Satellite Initiative." (Police Department)

10/29/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

011935 **[Extending occupancy of the south side of Howard Street during construction operations at 405 Howard Street]**

Resolution granting revocable permission to Webcor Builders for a six-month extension to temporarily close and occupy a portion of the sidewalk and parking lane on the southerly side of Howard Street, between 1st and Fremont Streets, during construction operations at 405 Howard Street (Assessor's Block 3737, Lot 1). (Public Works Department)

(District 6.)

10/29/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011936 **[Grant - HIV/AIDS confidential counseling and testing]**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of $175,000 from the California Family Health Council, Inc. (CFHC), to enhance and expand HIV/AIDS confidential counseling and testing services in family planning agency clinics and to enter into an agreement for the use of these funds; for the period of September 1, 2001, through August 31, 2002. (Public Health Department)

10/29/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

011938 **[Contracting out Shelter and Intake Services]**

Resolution concurring with the Controller's certification that intake and shelter services to status offenders can be practically performed by private contractor for lower cost than similar services performed by City and County employees. (Juvenile Probation Department)

10/31/01, RECEIVED AND ASSIGNED to Finance Committee.

011939 **[Japan Center Garage Public Parking Lease between CCSF and San Francisco Japan Center Garage Corporation]**

Resolution approving the Japan Center Garage Public Parking Lease by and between the City and County of San Francisco and the City of San Francisco Japan Center Garage Corporation. (Parking and Traffic Department)

10/31/01, RECEIVED AND ASSIGNED to Finance Committee.

PROPOSED MOTIONS

011960 **[Board proposed charter amendments and initiative ordinances to be referred to the Planning Department for environmental review]**

Motion amending the Rules of Order of the Board of Supervisors by adding Rules 2.28.1A and 2.2A to provide that Board proposed charter amendments and Board proposed initiative ordinances shall be referred to the Planning Department for environmental review as required by the California Environmental Quality Act. (City Attorney)

10/29/01, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Leno
To: City Attorney
Requesting/Inquiring: To draft legislation which adds a civil remedy for hate crimes. To research the possibility of legislation which would allow the City to seek monies from perpetrators to be paid to victims directly. Also included should be injunctive relief and attorney's fees as appropriate The ability of the City to seek monies from perpetrators for victims should be allowable under the California Civil Code

From: Supervisor Newsom
To: Director, Mayor's Office of Homelessness
Requesting/Inquiring: To investigate and report on the operational metrics surrounding the delivery of homeless services in San Francisco, asking that the City regularly schedule, gather and present it to the Board of Supervisors.
Specifically, this report should include but not be limited to the following information broken down on a daily basis and summarized both weekly and monthly:

1. Services Available/Utilized:
- *Number of short-term shelter beds City run - available/utilized*
- *Number of short term shelter beds privately run - available/utilized*
- *Number of people in supportive or subsidized long-term housing- available/utilized*

Number of Service Referrals:
a. Substance abuse treatment
b. Health care services broken down by physical or psychological
c. Job training/employment
d. Long-term supportive of subsidized housing

2. Characteristics of those served:
- *Number by Characteristic*
- *Age*
- *Gender*
- *Status - single or family*
- *Size of Family*
- *Any Diagnosis - substance abuse, mental illness*
- *Length of time homeless*
- *Length of current homeless episode*
- *Recidivism Rate - Include period since last visit to shelter or use of support services in system.*

From: Supervisor Newsom
To: Superintendent, San Francisco Unified School District
Requesting/Inquiring: To report on the District's response to complaints filed on March 17, April 16 and October 31, 2001 with the Department of Public Works regarding the following sites:

1. Claire Lillenthal/Newcomer High School	*3630 Divisadero Street*	*Block 920, Lot 4*
2. Grattan Elementary School	*165 Grattan Street*	*Block 1218, Lots 17, 13*
3. Lincoln Sr. High School	*2162-24th Avenue*	*Block 2194, Lot 1*
4. Lincoln Sr. High School Annex	*2110-14 25th Avenue*	*Block 2193, Lots 1, 25*

From: Supervisor Peskin
To: General Manager, Recreation and Park Department
Requesting/Inquiring: To investigate and report on trees in local parks that are being vandalized in the form of cuts into the cambium layer of several trees. Impacted trees are located in the following areas The mesa area of Lake Merced, the northeast side of Mount Davidson, Seventh Avenue Reservoir Glen Park's Tree Day

Camp and Miraloma Playground.

From: Supervisor Yee
To: Tax Collector
Requesting/Inquiring: To investigate and report on the practice of charging a $34.00 fee to pay taxes by credit card.

From: Supervisor Yee
To: City Attorney
Requesting/Inquiring: To investigate and report whether the transfer of Channel 66, Station KPST, to Univision serves the public interest, convenience; and necessity as provided by Section 310(d) of the Communications Act of 1934.

From: Supervisor Yee
To: Superintendent, San Francisco Unified School District
Requesting/Inquiring: Requesting that meetings be held to inform neighbors and the community regarding the locating of the Project Impact Program to a site in the Sunset district, including but not limited to the former principle center at 1341 - 42nd Avenue.

From: Supervisor Yee
To: Director, Ethics Commission
Requesting/Inquiring: To investigate and report on the propriety of the City Attorney negotiating a personal contract with the San Francisco Unified School District while still in the employ of the City and County of San Francisco.

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Kris Kovick (Supervisor Ammiano)

ADJOURNMENT

There being no further business, the Board at the hour of 6:55 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 7, 2002.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, November 13, 2001 2:00 PM

DOCUMENTS DEPT.
FEB 26 2002
SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Regular Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Audit, Labor and Government Efficiency Committee Supervisors Newsom, Daly, McGoldrick	2nd & 4th Tuesday 1:00 PM
City and School District Committee Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns. Commissioner Mar	Call of the Chair
Economic Vitality, Small Business and Social Policy Committee Supervisors Sandoval, Newsom, Maxwell	1st & 3rd Tuesday 10:00 AM
Finance Committee Supervisors Leno, Peskin, Gonzalez	Wednesday 10:00 AM
Housing, Transportation and Land Use Committee Supervisors McGoldrick, Daly, Peskin	2nd & 4th Thursday 10:00 AM
Neighborhood Services and Parks Committee Supervisors Yee, Hall, Sandoval	1st & 3rd Tuesday 1:00 PM
Public Health and Environment Committee Supervisors Maxwell. Yee, Leno	2nd & 4th Tuesday 10:00 AM
Public Utilities and Deregulation Committee Supervisors Daly, Gonzalez, Ammiano	Call of the Chair
Rules Committee Supervisors Gonzalez. Hall. Ammiano	1st & 3rd Thursday 1:00 PM

First-named Supervisor/Commissioner is Chair. Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Volume 96 Number 44

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Leno, Maxwell, McGoldrick, Peskin, Sandoval - 5.

Quorum present.

Supervisors McGoldrick and Peskin were noted present at 2:01 p.m.

Supervisors Leno and Maxwell were noted present at 2:02 p.m.

Supervisor Sandoval was noted present at 2:05 p.m.

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled or considered differently.

There were none.

COMMUNICATIONS

Ms. Tammy Haygood, Director, Department of Elections gave a report on the status of the canvassing of the Municipal Utility District election.

CONSENT AGENDA

Items 1 through 2

Recommendations of the Economic Vitality, Small Business and Social Policy Committee

011736 **[Accept-Expend Federal Grant]**
Supervisor Sandoval

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of $25,818 for the year 2000 and $15,318 for the year 2001 from the U.S. Department of Justice under the Bulletproof Vest Partnership Act to equip law enforcement officers in the Sheriff's Department and the Office of the District Attorney with armor vests. (Sheriff)

Resolution No. 895-01
ADOPTED

011900 **[Accept and Expend State Grant - Spousal Abuser Prosecution Program]**
Supervisors Leno, Newsom

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $120,000 from the California Department of Justice for a program entitled "Spousal Abuser Prosecution Program". (District Attorney)

Resolution No. 896-01
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Housing, Transportation and Land Use Committee

011102 [Amending the Jobs Housing Linkage Program Ordinance]
Supervisors Gonzalez, Daly

Ordinance amending the San Francisco Planning Code by amending Section 313.5 to change the formula used in the Jobs Housing Linkage Program to determine the number of affordable housing units a housing developer is required to build if an office developer elects to comply with the Jobs Housing Linkage Program Ordinance by payment of money or land to a housing developer.

(Planning Commission Resolution #16255 adopted 9/6/01 recommending approval)
(Fiscal impact.)

Ordinance No. 227-01
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

Recommendations of the Rules Committee

010907 [Charter Amendment - Noncitizens on City Boards, Commissions, and Advisory Bodies]
Supervisors Gonzalez, Daly, Maxwell

Charter amendment (Second Draft) to amend Section 4.101 to permit noncitizens to serve on appointive boards, commissions, and advisory bodies, and to clarify existing provisions allowing nonelectors to serve on appointive boards, commissions, and advisory bodies.

ORDERED SUBMITTED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

010964 [Appointments to the Planning Commission and the Board of Appeals]
Supervisors McGoldrick, Gonzalez, Ammiano, Hall, Daly, Leno, Maxwell, Sandoval

Charter amendment (Second Draft) to amend Sections 4.105 and 4.106 to provide that appointments to the Planning Commission and the Board of Appeals shall be shared by the Mayor and the Board of Supervisors.

11/13/01 - Supervisor Leno, seconded by Supervisor Newsom moved to amend. In Section 4.105 and Section 4.106 add the following: "Each nomination of the Mayor and the President of the Board of Supervisors is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk of the Board of Supervisors, the nomiee shall be deemed approved.
AMENDED.

Charter amendment (Third Draft) to amend Sections 4.105, 4.106 and 15.105 to provide that appointments to the Planning Commission and the Board of Appeals shall be shared by the Mayor and the Board of Supervisors.

Continued to November 19, 2001. Board to sit as a Committee of the Whole.
CONTINUED AS AMENDED by the following vote:
Ayes: 8 - Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Noes: 3 - Ammiano, Hall, Newsom

010968 **[Mayor's Budget deadline]**
Supervisors McGoldrick, Daly

Charter amendment (Second Draft) to amend Section 9.100 to require the Mayor, beginning in 2003, to submit the proposed budget to the Board of Supervisors not later than April 15 of each year.

(Supervisor Ammiano dissenting in Committee.)

TABLED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011657 **[Charter Amendment - Domestic Partner Benefits]**
Supervisors Leno, Daly

Charter amendment (Second Draft) to amend Appendix 8.500-2, relating to domestic partner benefits.

ORDERED SUBMITTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011659 **[Charter Amendment - Cost of Living Benefits for Retirees]**
Supervisors McGoldrick, Hall, Daly, Sandoval, Newsom, Maxwell, Ammiano

Charter amendment (First Draft) to amend Appendix A8.526-1, relating to supplemental cost of living benefits for retirees and their survivors.

(Fiscal impact.)

Supervisors Sandoval, Newsom, Maxwell and Ammiano requested to be added a co-sponsors.
ORDERED SUBMITTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Board of Supervisors Sitting as a Committee of the Whole

012001 **[Appointments of members to the Planning Commission, the Board of Appeals and the Building Inspection Commission]**
Supervisor McGoldrick

Charter Amendment (First Draft) to amend Sections 4.105, 4.106, 4.121 and 15.105 to provide that appointments of members to the Planning Commission, the Board of Appeals and the Building Inspection Commission shall be shared by the Mayor and the Board of Supervisors, and to provide that these appointed members may only be removed for official misconduct.

11/13/01 -Supervisor Peskin, seconded by Supervisor Leno moved to amend. In Sections 4.105, 4.106 and 4.121 add the following: "Each nomination of the Mayor and the President of the Board of Supervisors is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk of the Board of Supervisors, the nominee shall be deemed approved."
AMENDED.

Charter Amendment (Second Draft) to amend Sections 4.105, 4.106, 4.121 and 15.105 to provide that appointments of members to the Planning Commission, the Board of Appeals and the Building Inspection Commission shall be shared by the Mayor and the Board of Supervisors, and to provide that these appointed members may only be removed for official misconduct.

Public Comment:

Debarah Walker, support charter amendment.

Continued to November 19, 2001. Board to sit as a Committee of the Whole.
CONTINUED AS AMENDED by the following vote:
Ayes: 7 - Daly, Gonzalez, Leno, Maxwell, Peskin, Sandoval, Yee
Noes: 4 - Ammiano, Hall, McGoldrick, Newsom

NEW BUSINESS

Recommendation of the Economic Vitality, Small Business and Social Policy Committee

011849 **[Street Artists - Temporary Spaces]**
Supervisors Ammiano, Peskin, Maxwell

Resolution designating temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for the winter holiday season, 2001, beginning on November 15, 2001 and ending on January 15, 2002.

Resolution No. 892-01
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

Recommendation of the Finance Committee

011800 **[Reviewing Annual Budget]**
Supervisor McGoldrick

Resolution setting priorities and amending processes of the Board of Supervisors in reviewing the annual budget of City departments submitted by the Mayor.

RE-REFERRED to the Finance Committee by the following vote:
Ayes: 8 - Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval
Noes: 3 - Ammiano, McGoldrick, Yee

Recommendations of the Neighborhood Services and Parks Committee

010589 **[Prohibit alcohol consumption on park property without a permit]**
Supervisors Maxwell, Newsom

Ordinance amending Article 4 of the San Francisco Parks Code, by amending Section 4.10 to add Alice Chalmers Playground, Bayview Playground, Bernal Playground, Buchanan Street Mall, Cayuga Playground Franklin Square, Gilman Playground, Holly Park, Juri Commons Mini Park, Lessing Sears Mini Park McKinley Square, Mission Dolores Park, Silver Terrace Park, Sunnyside Conservatory, Upper Noe Recreation Center, Wawona Clubhouse and Youngblood Coleman Playground to the locations in which alcohol consumption is prohibited without a permit.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011450 **[Restructuring Delinquency Prevention Commission]**
Supervisor Yee

Ordinance amending San Francisco Administrative Code Sections 20.50, 20.51, and 20.52 to restructure the Delinquency Prevention Commission to reduce the number of members, provide for one commissioner appointment by each individual Supervisor on the Board of Supervisors, establish minimum educational background or experience criteria for appointment, provide for two members between the ages of 14 and 21 years of age, and require that the Department of Children, Youth and Their Families provide staff and administrative support.

Continued to November 19, 2001.
CONTINUED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011782 **[Underground District in the Mission Bay Area]**
Ordinance creating Underground District No. 358 in the Mission Bay Area. (Public Works Department)

(District 10)
(Supervisor Sandoval dissenting in Committee.)

PASSED ON FIRST READING by the following vote:
Ayes: 8 - Ammiano, Daly, Hall, Leno, McGoldrick, Newsom, Peskin, Yee
Noes: 3 - Gonzalez, Maxwell, Sandoval

011783 **[Modifying Underground District No. 355]**
Ordinance amending Ordinance No. 333-99 to redefine Underground District No. 355 in the Third Street and Bayshore Boulevard area by adding certain property thereto. (Public Works Department)

(District 10)
(Supervisor Sandoval dissenting in Committee.)

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Noes: 2 - Gonzalez, Sandoval

Charter Amendment (Second Draft) to amend Sections 4.105, 4.106, 4.121 and 15.105 to provide that appointments of members to the Planning Commission, the Board of Appeals and the Building Inspection Commission shall be shared by the Mayor and the Board of Supervisors, and to provide that these appointed members may only be removed for official misconduct.

Public Comment:

Debarah Walker, support charter amendment.

Continued to November 19, 2001. Board to sit as a Committee of the Whole.

CONTINUED AS AMENDED by the following vote:

Ayes: 7 - Daly, Gonzalez, Leno, Maxwell, Peskin, Sandoval, Yee
Noes: 4 - Ammiano, Hall, McGoldrick, Newsom

NEW BUSINESS

Recommendation of the Economic Vitality, Small Business and Social Policy Committee

011849 [Street Artists - Temporary Spaces]
Supervisors Ammiano, Peskin, Maxwell

Resolution designating temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for the winter holiday season, 2001, beginning on November 15, 2001 and ending on January 15, 2002.

Resolution No. 892-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

Recommendation of the Finance Committee

011800 [Reviewing Annual Budget]
Supervisor McGoldrick

Resolution setting priorities and amending processes of the Board of Supervisors in reviewing the annual budget of City departments submitted by the Mayor.

RE-REFERRED to the Finance Committee by the following vote:

Ayes: 8 - Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval
Noes: 3 - Ammiano, McGoldrick, Yee

Recommendations of the Neighborhood Services and Parks Committee

010589 **[Prohibit alcohol consumption on park property without a permit]**
Supervisors Maxwell, Newsom

Ordinance amending Article 4 of the San Francisco Parks Code, by amending Section 4.10 to add Alice Chalmers Playground, Bayview Playground, Bernal Playground, Buchanan Street Mall, Cayuga Playground, Franklin Square, Gilman Playground, Holly Park, Juri Commons Mini Park, Lessing Sears Mini Park, McKinley Square, Mission Dolores Park, Silver Terrace Park, Sunnyside Conservatory, Upper Noe Recreation Center, Wawona Clubhouse and Youngblood Coleman Playground to the locations in which alcohol consumption is prohibited without a permit.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval Yee

011450 **[Restructuring Delinquency Prevention Commission]**
Supervisor Yee

Ordinance amending San Francisco Administrative Code Sections 20.50, 20.51, and 20.52 to restructure the Delinquency Prevention Commission to reduce the number of members, provide for one commissioner appointment by each individual Supervisor on the Board of Supervisors, establish minimum educational background or experience criteria for appointment, provide for two members between the ages of 14 and 21 years of age, and require that the Department of Children, Youth and Their Families provide staff and administrative support.

Continued to November 19, 2001.
CONTINUED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011782 **[Underground District in the Mission Bay Area]**
Ordinance creating Underground District No. 358 in the Mission Bay Area. (Public Works Department)

(District 10)
(Supervisor Sandoval dissenting in Committee.)

PASSED ON FIRST READING by the following vote:
Ayes: 8 - Ammiano, Daly, Hall, Leno, McGoldrick, Newsom, Peskin, Yee
Noes: 3 - Gonzalez, Maxwell, Sandoval

011783 **[Modifying Underground District No. 355]**
Ordinance amending Ordinance No. 333-99 to redefine Underground District No. 355 in the Third Street and Bayshore Boulevard area by adding certain property thereto. (Public Works Department)

(District 10)
(Supervisor Sandoval dissenting in Committee.)

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Noes: 2 - Gonzalez, Sandoval

011801 **[2012 Olympic Games to San Francisco]**
Supervisors Yee, Hall, Leno

Resolution supporting the efforts of the Bay Area Sports Organizing Committee (BASOC) to bring the 2012 Olympic Games to San Francisco Bay Area and encouraging the United States Olympic Committee to select San Francisco as the official U.S. Candidate City for the 2012 Olympic Games; authorizing the Mayor to execute the Joinder Undertaking Agreement with the United States Olympic Committee subject to certain conditions; and authorizing the Mayor to execute an agreement with BASOC.

11/13/01 - Supervisor Peskin, seconded by Supervisor Yee moved to amend. On Page 3, line 7 replace "eight" with "four". On Page 5, line 16, replace "from" with "or designee of".

11/13/01 - Supervisor Sandoval, seconded by Supervisor Maxwell moved to amend. On Page 5, add a subsection 7 to read: "That San Francisco shall not be obligated to execute and deliver to IOC subsequent Candidature Agreements, if such agreements impose materically greater liability and indemnity obligations on San Francisco than are included in the Joinder Undertaking, the Joinder Agreement, and the Candidate City Agreement."

Supervisor Leno requested to be added as a co-sponsor.
AMENDED.

Resolution No. 910-01
ADOPTED AS AMENDED by the following vote:
Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abedella Megahead, feed the homeless;
Chris Bowman, success on ballot measures;
John Bardis, legislative budget process;
male speaker, quarrantine of people with HIV;

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

012024 **[Legislative Analyst Request - Biotechnology]**
Supervisor Maxwell

Motion requesting the Legislative Analysts to research and report on biotechnology (or life sciences) industry particularly as it relates to:

(1) Business attraction and retention, including the economic conditions and incentives that attract biotechnology companies to localities.

(2) Planning, including how other jurisdictions: Define the industry; Incorporate the industry into the Planning Code; Treat different uses with the general category of biotechnology, specifically the office use and wet lab uses; Incorporate the industry into local land use planning, including its proximity and relationship to nearby land uses; Address building design issues, including rooftop equipment, exhaust systems, and seismic safety

(3) Health and Safety, including: Which federal, state and local health regulations are applicable; Have other jurisdictions adopted further health and safety controls.

APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 20 through 32

012007 **[Revenue Bonds - ABAG Finance Authority]**
Supervisor Hall

Resolution authorizing the issuance and sale of revenue bonds by ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $ 20,000,000 for the California School of Mechanical Arts, or an affiliate.

Resolution No. 897-01
ADOPTED

012010 **[Native American Month]**
Supervisors Newsom, Leno

Resolution declaring the month of November as "Native American" Month in the City and County of San Francisco.

Resolution No. 899-01
ADOPTED

012011 [Assembly Bill 25]
Supervisor Sandoval

Resolution urging the California Legislature to support the efforts to introduce an amendment to AB 25.

Resolution No. 900-01
ADOPTED

012012 [Commend - Mrs. Doris Neumann]
Supervisors Hall, Newsom

Resolution commending Mrs. Doris Neumann for her 43 years of consecutive service to the Department of Elections and to the voters of San Francisco as a poll worker at 50 Allston Way.

Resolution No. 901-01
ADOPTED

012013 [Commend - Kathleen Connell and Michael Valerio]
Supervisors Leno, Newsom

Resolution commending Kathleen Connell and Michael Valerio, founders of the Folsom Street Fair.

Resolution No. 902-01
ADOPTED

012014 [Commend - Reverend Cecil Williams and Janice Mirikitani]
Supervisors Maxwell, Leno, Newsom

Resolution commending Reverend Cecil Williams and Janice Mirikitani for their exemplary services and dedication to San Francisco and proclaiming Friday, November 16, 2001 Cecil Williams and Janice Mirikitani day.

Resolution No. 903-01
ADOPTED

012015 [Commend - Potrero Hill Neighborhood House]
Supervisors Maxwell, Peskin, Newsom, Leno

Resolution commending the Potrero Hill Neighborhood House for their commitment and dedication to serving the Potrero Hill community and for their relentless efforts to improve the quality of life for the residents in San Francisco.

Resolution No. 904-01
ADOPTED

012016 [Commend - Irish American Democratic Club]
Supervisor Newsom

Resolution commending the Irish American Democratic Club San Francisco for raising their voice on issues critical to San Francisco voters, in particular for advocating for the creation of a special day in memory of the late President John Fitzgerald Kennedy by making it a memorial (unpaid) holiday.

Resolution No. 905-01
ADOPTED

012017 **[Commend - Green Patrol]**
Supervisors Peskin, Newsom, Leno

Resolution commending the Green Patrol for launching its innovative pilot cleaning program in North Beach

Resolution No. 906-01
ADOPTED

012018 **[Commend - Youth Vote Coalition]**
Supervisors Sandoval, Newsom

Resolution commending the Youth Vote Coalition for creating a forum for students to register their opinion on current candidates and propositions, and the election of a student delegate to the Board of Education.

Resolution No. 907-01
ADOPTED

011961 **[Final Map for a 5 Unit Residential Condominium Project]**
Motion approving Final Map of 1034 Filbert Street, a Residential Condominium Project, being a merger and resubdivision of Lots 58, 59, 60, and 61 and all of the Common Area of 1034 Filbert Street, Assessor's Block No. 93, and adopting findings pursuant to City Planning Code Section 101.1. (Purchaser)

(DPW Order No. 173,242; District 3.)

Motion No. M01-165
APPROVED

012025 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M01-166
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Severed from For Adoption Without Committee Reference

012008 [Proclamation]
Supervisor Hall

Resolution proclaiming December 3-9, 2001 as Operation Self-Reliance Week in San Francisco during which volunteers will conduct a door-to-door enrollment campaign for the Disaster Registry.

11/13/01 - Supervisor Hall, seconded by Supervisor Peskin moved to amend. In the title, Page 1, line 4, replace "enrolment" with "enrollment". On Page 2, line 3, replace "enrolment" with "enrollment".
AMENDED.

Resolution No. 898-01
ADOPTED AS AMENDED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.
Supervisor Leno, seconded by Supervisor Peskin, moved. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.
Supervisor Leno, seconded by Supervisor Peskin, moved [Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Imperative Agenda

012040 **[Commendation - SMMILE]**
Supervisors Daly, Leno

Resolution commending South of Market Merchants' and Individuals' Lifestyle Event.

Resolution No. 908-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval Yee

012041 **[Asian Perinatal Advocates Mental Health Day]**
Supervisors Peskin, Leno

Resolution declaring November 14th, 2001 Asian Perinatal Advocates Mental Health Day in San Francisco on the occasion of their grant opening of the Counseling and Network Center to recognize Asian Perinatal Advocate's exceptional work with the Asian and Pacific Islander community in San Francisco.

Resolution No. 909-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

001262 **[Inclusionary Affordable Housing Program]**

Ordinance amending the San Francisco Planning Code to add Sections 315 to 315.9 to establish requirements for all residential developments of 10 units or more to provide inclusionary housing units.

(11/13/01 in Board: Supervisor Leno submitted a substitute ordinance bearing same title.)
(Received Certificate of Exemption/Exclusion from Environmental Review dated 9/5/01; received Certificate of Exemption/Exclusion from Environmental Review dated 11/9/01; received Revised Certificate of Exemption/Exclusion from Environmental Review dated 1/8/02)

7/10/00, ASSIGNED UNDER 30 DAY RULE to Finance and Labor Committee, expires on 8/9/2000. 7/13/00, referred to Planning Commission for public hearing and recommendation.

9/5/00, received from Planning Department General Rule Exclusion from Environmental Review.

2/1/01, TRANSFERRED to Housing, Transportation and Land Use Committee. New committee structure.

8/2/01, FILED PURSUANT TO RULE 5.38.

9/17/01, SUBSTITUTED. Supervisor Leno submitted a substitute ordinance bearing new title.

9/17/01, REACTIVATED PURSUANT TO RULE 5.24. Supervisor Leno requested this matter be reactivated.

9/17/01, ASSIGNED to Housing, Transportation and Land Use Committee. 9/21/01-Transmitted to Planning Commission for public hearing and recommendation.

11/13/01, SUBSTITUTED. Supervisor Leno submitted a substitute ordinance bearing same title.

11/13/01, ASSIGNED to Housing, Transportation and Land Use Committee. 11/19/01 - Substitute ordinance transmitted to Planning Commission for public hearing and recommendation.

012042 **[Zoning Map Amendment - King and Townsend Streets]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Section Maps 8 and 8H, to change the use district designation of Assessor's Block 3800, Lots 1, 2, 3 and 4 and Assessor's Block 3799, Lot 7, at King and Townsend Streets near Seventh Street, from M-2 (Heavy Industrial) to SLR (Service/Light Industrial/Residential Mixed-Use District), to change the height and bulk district designation of Assessor's Block 3800, Lots 1 and 2, at King and Seventh Streets, from 50-X to 65-X, and adopting findings pursuant to Planning Code Section 101.1.

11/13/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 12/13/2001. 11/21/01 - Transmitted to Planning Commission for public hearing and recommendation.

Resolutions

012040 **[Commendation - SMMILE]**
Supervisors Daly, Leno

Resolution commending South of Market Merchants' and Individuals' Lifestyle Event.

11/13/01, ADOPTED.

012041 **[Asian Perinatal Advocates Mental Health Day]**
Supervisors Peskin, Leno

Resolution declaring November 14th, 2001 Asian Perinatal Advocates Mental Health Day in San Francisco on the occasion of their grant opening of the Counseling and Network Center to recognize Asian Perinatal Advocate's exceptional work with the Asian and Pacific Islander community in San Francisco.

11/13/01, ADOPTED.

012043 **[Salvation Army]**
Supervisors Daly, Leno

Resolution urging the Salvation Army's National Office to rescind its decision to deny health benefits to non-spouses, commending the Salvation Army's Western Corporation for its foresight and leadership and directing the Clerk of the Board to communicate this position.

11/13/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

012044 **[Emergency Communications Department 911 Operations]**
Supervisor Newsom

Resolution urging for the adequate funding for the Emergency Communications Department Operations, one which creates less drain on the City's General Fund and allows for continued progress moving forward with the plans to civilianize the entire workforce, releasing the 54 assigned fire fighters to duty back to San Francisco Fire Department; and adding the Emergency Communications Department to the City and County of San Francisco's Emergency Operation, including as a member of the Command and Policy Group and the Crisis Action Team.

11/13/01, RECEIVED AND ASSIGNED to Finance Committee.

012045 **[Modern Times Bookstore]**
Supervisors Ammiano, Daly, Leno

Resolution condemning the intolerant defacement of windows at Modern Times Books while displaying books of Middle Eastern themes and symbolism.

11/13/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012046 **[Instant Runoff Voting]**
Supervisor Gonzalez

Resolution supporting legislation recently introduced in the United States Congress by Representative Jesse Jackson Jr. regarding Instant Runoff Voting.

11/13/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012047 **[Urging Passage of HR1990 and S940]**
Supervisors Leno, Maxwell, McGoldrick

Resolution urging the U.S. Congress to begin committee hearings and to enact HR1990 and S940, the Act to Leave No Child Behind.

11/13/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012048 **[Sail San Francisco Day]**
Supervisors Peskin, Newsom, Hall

Resolution declaring August 28, 2002 as Sail San Francisco Day in the City and County of San Francisco, in support of an organization that advances San Francisco's rich maritime legacy and provides a public forum for international cultural exchange and unique educational experiences.
11/13/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012049 **[Matricula Consular as Official Identification]**
Supervisors Sandoval, Gonzalez

Resolution urging the San Francisco Police, Sheriff and other local agencies to recognize the "matricula consular," issued by the Mexican government, as official identification in the City and County of San Francisco.
11/13/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012050 **[Commend - Congresswoman Nancy Pelosi]**
Supervisors Leno, Newsom, Maxwell, McGoldrick

Resolution commending Congresswoman Nancy Pelosi on her tremendous contributions to improve the health of San Francisco.
11/13/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012051 **[Commend - Reuben Smith]**
Supervisors Maxwell, Daly, Leno

Resolution commending Reuben Smith for his 38 years of dedication and exemplary service to the Hunter's Point Boys and Girls Club to the Bay View Hunter's Point Community.
11/13/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012052 **[Commend - Wells Fargo Bank]**
Supervisor Sandoval

Resolution commending Wells Fargo Bank's outreach to the Hispanic community by accepting identification cards issued by the Mexican government for new account openings and banking transactions.
11/13/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012053 **[Commend - Reverend Roland Gordon]**
Supervisor Sandoval

Resolution commending Reverend Roland Gordon.
11/13/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012054 **[Revenue Bonds - Robinson Affordable Housing, Inc.]**
Supervisor Maxwell

Resolution authorizing the issuance and sale of multifamily housing revenue bonds by California Statewide Communities Development Authority in an aggregate principal amount not to exceed $22,000,000 for Robinson Affordable Housing, Inc. or an affiliate.

11/13/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012055 **[Revenue Bonds - Ridgeview Terrace Affordable Housing, Inc.]**
Supervisor Maxwell

Resolution authorizing the issuance and sale of multifamily housing revenue bonds by California Statewide Communities Development Authority in an aggregate principal amount not to exceed $17,000,000 for Ridgeview Terrace Affordable Housing, Inc. or an affiliate.

11/13/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

012056 **[Municipal Water and Power Charter Amendment]**
Supervisor Ammiano

Charter amendment (First Draft) to repeal Sections 4.112, 16.103, and A8.508, amend Sections 9.107, 13.101, and A8.500, and add a new Chapter 8B, to: (1) eliminate the Public Utilities Commission; (2) form a Municipal Water and Power Agency, which shall succeed to all powers and responsibilities of the Public Utilities Commission and, for the generation, sale and transmission of electricity, steam and other energy and for proposing ordinances setting energy and water efficiency goals and standards to the Board of Supervisors; (3) adopt a two year budget; and, (4) permit the transfer of excess surplus utility funds to the City's General Fund after 5 years only upon a two-thirds vote of the Board of Supervisors.

(Fiscal impact.)

11/13/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/13/2001.

Requests for Hearing

012057 **[Public Power]**
Supervisor Ammiano

Hearing to consider interim steps that can be taken toward public power between now and a subsequent election, to include representatives from the City Attorney's Office, the Public Utilities Commission and the Department of Environment.

11/13/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

012058 **[PG&E Bankruptcy Proposal]**
Supervisor Ammiano

Hearing to consider PG&E's bankruptcy proposal and the City Attorney's proposed responses to the bankruptcy judge, including appointing a Government Creditor's Committee paid for by PG&E to fight the liquidation plan.
11/13/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

012059 **[Implementation of Proposition B]**
Supervisor Leno

Hearing to discuss implementation of Proposition B, given the successful passage of the measure on November 6th, 2001.
11/13/01, RECEIVED AND ASSIGNED to Rules Committee.

012060 **[Implementation of Educational Bond, Proposition 39]**
Supervisor Leno

Hearing to consider local implementation of educational bond accountability measures contained in Proposition 39 and to consider additional measures that local government can advance to require accountability for school district spending.
11/13/01, RECEIVED AND ASSIGNED to Finance Committee.

012061 **[Families in SROs Census]**
Supervisor Newsom

Hearing (1) to discuss the findings of the recent Report on the Census of Families in Single Room Occupancy Hotels in San Francisco; and (2) to receive an update on the progress made pursuant to File No. 011157, Families in SROs Workgroup.
11/13/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

012062 **[Sheriff's Plan to Comply with Proposition E]**
Supervisor Newsom

Hearing to review the Sheriff's plan to comply with Proposition E and their progress in completing it by the March 2002 deadline.
11/13/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.
Sponsor requests this item be scheduled for consideration in the second week of January 2002.

012063 **[Mayor's Budget Instructions]**
Supervisor Peskin

Hearing on the Mayor's Budget instructions to City Departments for the 2002-03 budget. This hearing will be held upon release of the Mayor's Budget instructions.
11/13/01, RECEIVED AND ASSIGNED to Finance Committee.

012064 **[Ballot Processing]**
Supervisor Peskin

Hearing to examine ballot processing in the recent November 6 election to address reasoning for using off-site processing centers, protocol that was developed for ballot processing, and the chain of custody of ballots that were taken outside of City Hall.

11/13/01, RECEIVED AND ASSIGNED to Rules Committee.

012065 **[HMO Coverage for Medicare Recipients]**
Supervisor Sandoval

Hearing regarding the issue of HMO coverage and prescription drug benefits for Medicare recipients.

11/13/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

012066 **[Campaign Advertising]**
Supervisor Sandoval

Hearing with the City Attorney to explain the contract between the City and AT&T, the equal access to advertise for political purposes, and to explain how a bankrupt entity such as PG&E is able to spend $1,000,000 on a campaign.

11/13/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

012067 **[Economic Development in Retail Neighborhoods and Commercial Corridors]**
Supervisor Sandoval

Hearing, asking the Mayor's Office of Economic Development to discuss their plan for economic development in retail neighborhoods and along commercial corridors.

11/13/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

012070 **[Matricula Consular]**
Supervisor Sandoval

Hearing to discuss the feasibility of making the "matricula consular" an official identification in the City and County of San Francisco.

11/13/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

012071 **[Phelan Loop]**
Supervisor Sandoval

Hearing to discuss the future of Phelan Loop regarding possible plans for open space, transportation facilities, and housing.

11/13/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

012073 **[Air Quality]**
Supervisor Sandoval

Hearing regarding the 2001 Ozone Attainment Plan and Negative Declaration to include representatives from MUNI, Metropolitan Transportation Commission, the Association of Bay Area Governments, and the Bay Area Air Quality Management District.

11/13/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

Motions

012072 **[Legislative Analyst Request]**
Supervisor Daly

Motion requesting the Legislative Analyst to: (1) investigate and report on San Francisco's existing policies and expenditures related to independent living of seniors and persons with disabilities; (2) investigate and report on policies in other jurisdictions; and, (3) recommend policy approaches to foster independent living in San Francisco for seniors and persons with disabilities.

11/13/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration November 19, 2001.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

011598 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Teddy Querubin against the City and County of San Francisco for $200,000.00; the lawsuit was filed on 6/30/98 in United States District Court, Northern District, Case No. C98-04414 JL; entitled Teddy Querubin v. City and County of San Francisco, et al. (City Attorney)

11/7/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Confidential letter dated October 18, 2001 is on file with the Clerk of the Board.

PROPOSED RESOLUTIONS

011595 **[Grant - Public Library Project Read]**

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $22,000 from the California State Library for continuing family literacy programming as part of Project Read. (Public Library)

11/5/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

011596 **[Grant - Library Statewide Data Base Program]**

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $10,000 from the California State Library for coverting circulation records for inclusion in the statewide library database. (Public Library)

11/5/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

011597 **[Grant - School Services Corps, Year 2]**

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $185,558 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for continuing a School Services Corps in cooperation with San Francisco Unified School District. (Public Library)

11/5/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

011665 **[Proposed expenditure of California Healthcare for Indigents Program (CHIP) funds for Fiscal Year 2001-02]**

Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2001-02 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for the Fiscal Year 2001-02. (Public Health Department)

11/7/01, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be scheduled for consideration at the November 21, 2001 meeting.

011952 **[Grant - Criminal Restitution Program]**

Resolution retroactively authorizing the Office of the District Attorney to contract for, accept and expend $128,567 allocated from the California State Board of Control Victims of Crime and Restitution Program, for a project entitled "Criminal Restitution Compact" for the period of July 1, 2001 through June 30, 2002. (District Attorney)

011954 **[STOP Intersections]**

Supervisor McGoldrick

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

9th Avenue and Balboa Street, northeast and southwest corners, stopping Balboa Street (makes this an all-way STOP) (Parking and Traffic Department)

(DPT Order No. 2336.)

11/6/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011955 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Clementina Street, north side, between 1st and 2nd Streets
Tehama Street, south side, between 1st and 2nd Streets

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Alabama Street, both sides, between Mariposa and 19th Streets (500 and 600 blocks)
Alabama Street, east side, between 16th and 17th Streets (300 block)
Alabama Street, west side, between 17th and Mariposa Streets (400 block)
Florida Street, both sides, between 18th and 20th Streets (600 and 700 blocks)
Florida Street, west side, between 16th and 17th Streets (300 block)

DIAGONAL (45-DEGREE ANGLE) PARKING - ESTABLISH
Florida Street, west side, from Mariposa Street to 150 feet northerly (150-foot zone, 400 block)

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
28th Street, both sides, between Guerrero and Dolores Streets (unit block)
Cesar Chavez Street, both sides, between Church and Sanchez Street (3900 block)
Clipper Street, both sides, between Church and Sanchez Street (100 block) (Parking and Traffic Department)

(DPT Order No. 2336.)

11/6/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011956 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

DIAMOND LANE - ESTABLISH
Bush Street, second lane from east curb (southbound), between Battery and Market Streets

BICYCLE LANE - ESTABLISH
4th Street, southbound, between King Street and Mission Creek

NO LEFT TURN - ESTABLISH
3rd Street, both directions, at Rincon Street
3rd Street, northbound, at South Common
3rd Street, soutbound, at North Common

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
3rd Street, east side, from 320 feet to 345 feet north of 20th Street (25-foot zone)
3rd Street, west side, between Phelps and Davidson Streets
3rd Street, west side, from Arthur Avenue to 65 feet southerly (65-foot zone)

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
3rd Street, east side, from 18th Street to 25 feet northerly (25-foot zone)
3rd Street, east side, from 358 feet to 400 feet south of 20th Street (42-foot zone)
3rd Street, west side, from 109 feet to 235 feet south of 16th Street (126-foot zone)
3rd Street, west side, from 325 feet to 380 feet north of Mariposa Street (55-foot zone) (Parking and Traffic Department)

(DPT Order No. 2336.)
11/6/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

011999 **[Muni Buses for Olympic Games of 2002]**

Resolution approving an agreement between the Salt Lake Organizing Committee for the Olympic Games of 2002, Inc. and the City and County of San Francisco, acting by and through its Municipal Transportation Agency, lending up to fifty (50) of City's standard Neoplan buses to the Salt Lake Organizing Committee for the Olympic Games of 2002, Inc., from no later than January 1, 2002 to no later than April 1, 2002 for the 2002 Winter Olympic and Paralympic Games. (Municipal Transportation Agency)
11/5/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

Requests Granted

From: Supervisor Ammiano
To: City Attorney
Requesting/Inquiring: To draft a resolution establishing a Solar Power Working Group.

From: Supervisor Ammiano
To: City Attorney
Requesting/Inquiring: To draft an amendment to the Minimum Compensation Ordinance clarifying the definition of "Wages". (See attachment.)

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft legislation to amend the San Francisco Administrative Code Section 16.1 to accurately reflect 12-hour workdays for firefighters. Currently, the section, which is related to vacation accrual, reflects days or hours. Since firefighters work a nontraditional workday of 12-hours, the section has caused confusion.

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft legislation to limit increases in fees for the use of municipal golf courses to an amount equal to or less than the increase in the Consumer Price Index.

From: Supervisor Gonzalez
To: City Attorney
Requesting/Inquiring: To draft an ordinance amending San Francisco's Election Code to allow early voting at polling places in each Supervisorial district of San Francisco, providing penalties for late opening or early closing of polling places; providing penalties for mishandling of ballots such as violation of regulations regarding transportation of ballots or vote-counting devices; providing penalties for failure to post voting results after closing of polling places; and providing penalties for election workers who refuse to identify themselves when requested to do so by members of the public.

From: Supervisor Hall
To: Controller
To: Director, Department of Human Resources
Requesting/Inquiring: That the Controller and the Director of the Department of Human Resources investigate and report on vacant positions specifically:
1. How many vacant staff positions there are currently in each department?
2. What is the salary for each vacant position?
3. Has money already been appropriated to the Department, and/or placed on reserve to fund these vacant positions?
4. How long has each of those vacant positions been open?
5. For how long, if at all, has the Department been advertising the availability of the position?
6. Has the Department experiencing the staff vacancy created any new positions within the Department while there were staff vacancies within the Department?
7. Please provide job descriptions for the newly created positions and the vacant positions for those-- Departments that added new positions.

From: Supervisor Hall
To: Executive Director, LAFCO
Requesting/Inquiring: To report on LAFCO funding, specifically:
1. How much money remains in LAFCO's budget?
2. How much money remains in the Board of Supervisors' reserve?
3. How does LAFCO plan, if at all, to adjust their budget based on the results of Measure I?

From: Supervisor Leno
To: Director, Real Estate
Requesting/Inquiring: To report on whether the City, as a significant user of local real estate, is in a position to work with landlords, property owners and City departments to negotiate and/or renegotiate deals that are reflective of current market conditions.

From: Supervisor Newsom
To: Mayor
To: City Attorney
To: Treasurer
To: District Attorney
To: Public Defender
To: Board of Education/Unified School District
To: Board of Supervisors
Requesting/Inquiring: To notify the following departments that their appointees to the Elections Commission with the associated qualifications under Proposition E must be prepared to take office on the first day of January 2002:
Mayor - a background in the electoral process
City Attorney - a background in elections law
Treasurer - a background in financial management
District Attorney - broadly representative of the general public
Public Defender - broadly representative of the general public
Board of Education/Unified School District - broadly representative of the general public
Board of Supervisors - broadly representative of the general public

From: Supervisor Newsom
To: Mayor
To: Board of Supervisors
To: City Attorney
To: District Attorney
To: Assessor
Requesting/Inquiring: To notify the following departments that their appointees to the Ethics Commission with the associated qualifications under Proposition E must be prepared to take office on the first day of February 2002:
Mayor - a background in public information and public meetings
Board of Supervisors - broadly representative of the general public
City Attorney - a background in law as it relates to government ethics
District Attorney - broadly representative of the general public
Assessor - a background in campaign finance

From: Supervisor Newsom
To: Sheriff
Requesting/Inquiring: To inform the Sheriff of their responsibility to preserve the security and integrity of elections in all matters including but not limited to transporting all ballots and all other documents or devices used to record votes from the polls to the central counting location and providing security for the ballots until the certification of election results. This requirement shall not become operative following its adoption until the Sheriff has completed meeting and conferring required by State law.
The Sheriff shall be notified of the requirement to submit a plan and budget to the Board of Supervisors by the 1st day of March 2002.

From: Supervisor Newsom

To: Executive Director, Department of Parking and Traffic
Requesting/Inquiring: To report on traffic concerns on Locust Street, specifically:
1. The need to post a "No Trucks" sign on Locust Street between California and Sacramento Streets.
2. The status of a previous approved request to establish and paint a yellow zone at 3490 California Street.
3. The status of previous request for disability access at the corner of Sacramento and Locust Streets.
4. The status of the completion of painting white bars for a pedestrian crosswalk at the corner of Sacramento and Locust Streets.
5. The status of a previous request for establishing a "No U-Turn" on both the east and west ends of the corner of Locust and California Streets.
6. The feasibility of establishing a green zone at the 3500 block of Locust Street.

From: Supervisor Peskin
To: City Attorney
Requesting/Inquiring: To draft a Board Rule that would mandate that the Finance Committee hold a public hearing on the Mayor's Budget instructions to City Departments upon the instructions' annual release.

From: Supervisor Peskin
To: General Manager, MUNI
Requesting/Inquiring: To investigate and report on the feasibility of introducing a pilot project to test the use of biodiesel fuel in local buses. Biodiesel fuel blends organic material such as soybean oil into traditional fuels, which result in greatly decreased environmental impact as well as minimal price premiums above conventional fuel. Supervisor Peskin requests that Muni staff contact his office should they desire more information.

From: Supervisor Sandoval
To: City Attorney
Requesting/Inquiring: To draft legislation mandating that the police, sheriff and other local agencies recognize the "matricula consulare" identification card issued by the Mexican Consulate as an official identification card in the City and County of San Francisco.

From: Supervisor Sandoval
To: Director, Department of Public Works
Requesting/Inquiring: To report on Pay Telephones in San Francisco, specifically:
1. What public telephone companies currently have permits with the Department of Public Works in reference to San Francisco Public Works Code Sections 953, 954, 955, 956 and 957?
2. How many pay telephones on public sidewalks does each permitted public telephone company have?
3. What is the compensation San Francisco acquired for these permits in the past year?
4. What is the expiration date for each of these permits?
Due: December 3, 2001

From: Supervisor Yee
To: City Attorney
Requesting/Inquiring: That the City Attorney develops appropriate legislation establishing a separate Authority to secure funds and to build the schools and other instructional facilities in the City.
Given recent published reports regarding the ongoing misspending of the Facilities Department of the San Francisco Unified School District, and the apparent discrepancies in approval and actual expenditures of Bond monies.

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased.

Jane Q Li (Supervisor Yee)
Kerry Cooper (Supervisor Hall)
Victims of American Airlines Flight 587 (Supervisor Sandoval)
Ken Kesey (Supervisor Gonzalez)
John Rosekrans (Supervisor Newsom)
Anne Hornbeck (Supervisor Ammiano)

ADJOURNMENT

There being no further business, the Board at the hour of 5:30 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 7, 2002.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited

Gloria L. Young
Clerk of the Board

C
72
19/01

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT
FEB 26 2002
SAN FRANCISCO
PUBLIC LIBRARY

Monday, November 19, 2001 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Regular Calendar

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Audit, Labor and Government Efficiency Committee Supervisors Newsom, Daly, McGoldrick	2nd & 4th Tuesday 1:00 PM
City and School District Committee Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar	Call of the Chair
Economic Vitality, Small Business and Social Policy Committee Supervisors Sandoval, Newsom, Maxwell	1st & 3rd Tuesday 10:00 AM
Finance Committee Supervisors Leno, Peskin, Gonzalez	Wednesday 10:00 AM
Housing, Transportation and Land Use Committee Supervisors McGoldrick, Daly, Peskin	2nd & 4th Thursday 10:00 AM
Neighborhood Services and Parks Committee Supervisors Yee, Hall, Sandoval	1st & 3rd Tuesday 1:00 PM
Public Health and Environment Committee Supervisors Maxwell, Yee, Leno	2nd & 4th Tuesday 10:00 AM
Public Utilities and Deregulation Committee Supervisors Daly, Gonzalez, Ammiano	Call of the Chair
Rules Committee Supervisors Gonzalez, Hall, Ammiano	1st & 3rd Thursday 1:00 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee

Volume 96 Number 45

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Maxwell, McGoldrick - 2.

Quorum present.

Supervisor Maxwell was noted present at 2:02 p.m.

Supervisor McGoldrick was noted present at 2:05 p.m.

APPROVAL OF MEETING MINUTES

Motion to approve the October 1, 2001, Meeting Minutes.

Supervisor Sandoval, seconded by Supervisor Daly, moved to approve the October 1, 2001 Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Newsom, Peskin, Sandoval, Yee
Absent: 2 - Maxwell, McGoldrick

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled or considered differently.

There were none.

COMMUNICATIONS

CONSENT AGENDA

Items 1 through 11

Recommendations of the Audit, Labor and Government Efficiency Committee

011876 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by A. Ruiz Construction Company against the City and County of San Francisco for $200,000.00; the lawsuit was filed on July 10, 2000, in San Francisco Superior Court, Case No. 312-041; entitled A. Ruiz Construction Company v. City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING

011877 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by 111 Chestnut Street Condominium Homeowners Association, 220 Lombard Street Condominium Homeowners Association, 240 Lombard Street Condominium Homeowners Association, Lombard Plaza Owners Association, associations representing property owners of the Parc Telegraph development, against the City and County of San Francisco for $41,500, monitoring services of Frank Rollo, Sr., and debris removal; the lawsuit was filed on November 13, 1997 in the Superior Court of San Francisco, Case No. 991-050; entitled 111 Chestnut Condominium Homeowners Association, et al v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

011904 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco and the Environmental Law Foundation against the United States Tobacco Company, other manufacturers of smokeless tobacco products, and major retail chains that sell smokeless tobacco in California, for $2,750,000; the lawsuit was filed on March 31, 1998 in San Francisco Superior Court, Case No. 993-992; entitled City and County of San Francisco and Environmental Law Foundation v. United States Tobacco Co., et al.; other material terms of said settlement are that the smokeless tobacco manufacturers shall distribute warning signs required by Proposition 65 to their retailers throughout the state, and that the retailer defendants shall post those signs. (City Attorney)

PASSED, ON FIRST READING

011902 **[Settlement of Claim]**

Resolution approving the settlement of the unlitigated claim filed by Luis Lazaro against San Francisco for $30,000; claim was filed on 06-16-2000; additional material terms of said settlement are the signing of full and final release, minor compromise and dismissal of the City and County of San Francisco. (City Attorney)

Resolution No. 919-01
ADOPTED

Recommendations of the Finance Committee

011899 **[Contracting for Security Services, Office of Contract Administration, Central Shops Division]**

Resolution concurring with the Controller's certification that security services can be practically performed by private contractor for lower cost than similar services performed by City and County employees. (Purchaser)

Resolution No. 918-01
ADOPTED

011938 **[Contracting out Shelter and Intake Services]**

Resolution concurring with the Controller's certification that intake and shelter services to status offenders can be practically performed by private contractor for lower cost than similar services performed by City and County employees. (Juvenile Probation Department)

Resolution No. 921-01
ADOPTED

011947 **[Accept-Expend Federal Grant]**

Resolution authorizing the Airport Commission to accept retroactively and expend a grant in the amount of $15,435,276.00 from the Federal Aviation Administration for assistance in projects under the Airport Improvement Program (A.I.P. 15). (Airport Commission)

Resolution No. 923-01
ADOPTED

Recommendations of the Housing, Transportation and Land Use Committee

011872 **[Stop Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
25th and Church Streets, northeast and southwest corners, stopping Church Street (makes this an all-way STOP)
41st Avenue and Judah Street, northeast and southwest corners, stopping Judah Street (makes this an all-way STOP)
Fairmount and Whitney Streets, northwest and southeast corners, stopping Whitney Street (making this intersection an all-way STOP)
Revere Avenue and Bay View Street, northwest corner, stopping southbound Revere Avenue (stops the stem of this T-intersection)
San Carlos and Sycamore Streets, southwest corner, stopping San Carlos Street (stops the stem of this T-intersection)

STOP SIGNS - RESCIND
Lincoln Way and 3rd Avenue, southeast corner, stopping northbound 3rd Avenue (Parking and Traffic Department)

(DPT Order No. 2321.)

Resolution No. 913-01
ADOPTED

011873 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

CROSSWALK CLOSURE - ESTABLISH
Lincoln Way and 3rd Avenue, west side, crossing 3rd Avenue (unmarked crosswalk to be officially closed)

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
Lincoln Way, south side, from 4th Avenue to a point 100 feet west of 3rd Avenue

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Lincoln Way, south side, between 3rd and 4th Avenues
Bryant Street, south side, from Beale Street to 100 feet westerly (100-foot zone)
Masonic Avenue, east side, from Frederick Street to 53 feet northerly (53-foot zone)

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
3rd Street, west side, from 25th Street to 198 feet northerly (198-foot zone)
3rd Street, west side, from 25th Street to 202 feet southerly (202-foot zone)
3rd Street, east side, from 60 feet to 139 feet north of Cesar Chavez Street (79-foot zone)

NO LEFT TURN - ESTABLISH
3rd Street, southbound, at Burke Avenue

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
3rd Street, both sides, between Evans and Fairfax Avenues
3rd Street, east side, between Innes Avenue and Newhall Street (traffic island)
3rd Street, east side, from 35 feet to 80 feet north of Jerrold Avenue (45-foot zone)
3rd Street, east side, from 90 feet to 125 feet south of Fairfax Avenue (35-foot zone)
3rd Street, east side, opposite Bancroft Avenue (across from the stem of this T-intersection)
3rd Street, west side, between Newhall Street and Kirkwood Avenue (traffic island)
3rd Street, west side, opposite Donner Avenue (across from the stem of this T-intersection)
3rd Street, west side, opposite Underwood Avenue (across from the stem of this T-intersection)

NO LEFT TURN - ESTABLISH
3rd Street, northbound, at Quesada Avenue
3rd Street, northbound, at Thornton Avenue

NO RIGHT TURN ON RED - ESTABLISH
3rd Street, southbound, at Revere Avenue / Bay View Street

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
3rd Street, west side, from 47 feet to 75 feet south of Hudson Avenue (28-foot zone)
3rd Street, west side, from 74 feet to 110 feet south of Yosemite Avenue (36-foot zone)
3rd Street, west side, from Galvez Avenue to a point 83 feet south of Fairfax Avenue (130-foot zone)
3rd Street, west side, from Innes Avenue to 60 feet northerly (60-foot zone)
3rd Street, west side, from Kirkwood Avenue to 35 feet northerly (35-foot zone along sidewalk bulb) (Parking and Traffic Department)

(DPT Order No. 2321.)

Resolution No. 914-01
ADOPTED

Recommendations of the Public Health and Environment Committee

011493 **[Federal grant for Clean Air Program]**
Supervisors Leno, Newsom

Resolution authorizing the Department of Environment and Department of Administrative Services to accept and expend a grant in the amount of $150,000 from the United States Department of Energy (DOE) for the purpose of providing rebates to subsidize the purchase of alternative fuel vehicles. (Administrative Services Department)

Resolution No. 912-01
ADOPTED

011936 **[Grant - HIV/AIDS confidential counseling and testing]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of $175,000 from the California Family Health Council, Inc. (CFHC), to enhance and expand HIV/AIDS confidential counseling and testing services in family planning agency clinics and to enter into an agreement for the use of these funds; for the period of September 1, 2001, through August 31, 2002. (Public Health Department)

Resolution No. 920-01
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Neighborhood Services and Parks Committee

010589 **[Prohibit alcohol consumption on park property without a permit]**
Supervisors Maxwell, Newsom

Ordinance amending Article 4 of the San Francisco Parks Code, by amending Section 4.10 to add Alice Chalmers Playground, Bayview Playground, Bernal Playground, Buchanan Street Mall, Cayuga Playground, Franklin Square, Gilman Playground, Holly Park, Juri Commons Mini Park, Lessing Sears Mini Park, McKinley Square, Mission Dolores Park, Silver Terrace Park, Sunnyside Conservatory, Upper Noe Recreation Center, Wawona Clubhouse and Youngblood Coleman Playground to the locations in which alcohol consumption is prohibited without a permit.

Ordinance No. 228-01
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011782 **[Underground District in the Mission Bay Area]**
Ordinance creating Underground District No. 358 in the Mission Bay Area. (Public Works Department)

(District 10)
(Supervisor Sandoval dissenting in Committee.)

Ordinance No. 229-01
FINALLY PASSED by the following vote:
Ayes: 8 - Ammiano, Daly, Hall, Leno, Maxwell, Newsom, Peskin, Yee
Noes: 3 - Gonzalez, McGoldrick, Sandoval

011783 **[Modifying Underground District No. 355]**
Ordinance amending Ordinance No. 333-99 to redefine Underground District No. 355 in the Third Street and Bayshore Boulevard area by adding certain property thereto. (Public Works Department)

(District 10)
(Supervisor Sandoval dissenting in Committee.)

Ordinance No. 230-01
FINALLY PASSED by the following vote:
Ayes: 8 - Ammiano, Daly, Hall, Leno, Maxwell, Newsom, Peskin, Yee
Noes: 3 - Gonzalez, McGoldrick, Sandoval

011450 **[Restructuring Delinquency Prevention Commission]**
Supervisor Yee

Ordinance amending San Francisco Administrative Code Sections 20.50, 20.51, and 20.52 to restructure the Delinquency Prevention Commission to reduce the number of members, provide for one commissioner appointment by each individual Supervisor on the Board of Supervisors, establish minimum educational background or experience criteria for appointment, provide for two members between the ages of 14 and 21 years of age, and require that the Department of Children, Youth and Their Families provide staff and administrative support.

11/19/01 - Supervisor Yee, seconded by Supervisor Peskin presented an Amendment of the Whole bearing new title.
AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Ordinance amending San Francisco Administrative Code Sections 20.50, 20.51, and 20.52 to restructure the Delinquency Prevention Commission to reduce the number of members, provide for one commissioner appointment by each individual Supervisor on the Board of Supervisors through the Rules Committee, establish minimum educational background or experience criteria for appointment, provide for two members between the ages of 14 and 21 years of age, and require that the Department of Children, Youth and Their Families provide staff and administrative support.

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 10 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Daly

Board of Supervisors Sitting as a Committee of the Whole

012001 **[Appointments of members to the Planning Commission, the Board of Appeals and the Building Inspection Commission]**
Supervisor McGoldrick

Charter Amendment (Second Draft) to amend Sections 4.105, 4.106, 4.121 and 15.105 to provide that appointments of members to the Planning Commission, the Board of Appeals and the Building Inspection Commission shall be shared by the Mayor and the Board of Supervisors, and to provide that these appointed members may only be removed for official misconduct.

NOT submitted

Public Hearing:

Randy Shaw, Tenderloin Housing Clinic;
Arthur Evans;
Robert Holland;
Debra Walker;
Sam Dodge, Tenderloin Housing Clinic; by the following vote:
Ayes: 5 - Ammiano, Daly, Leno, Maxwell, McGoldrick
Noes: 6 - Gonzalez, Hall, Newsom, Peskin, Sandoval, Yee

Recommendation of Rules Committee

010964 **[Appointments to the Planning Commission and the Board of Appeals]**
Supervisors McGoldrick, Gonzalez, Ammiano, Hall, Daly, Maxwell, Sandoval, Peskin

Charter amendment (Third Draft) to amend Sections 4.105, 4.106 and 15.105 to provide that appointments to the Planning Commission and the Board of Appeals shall be shared by the Mayor and the Board of Supervisors.

Public Hearing:

Randy Shaw, Tenderloin Housing Clinic;
Arthur Evans;
Robert Holland;
Debra Walker;
Sam Dodge, Tenderloin Housing Clinic;
ORDERED SUBMITTED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Newsom, Yee

NEW BUSINESS

Recommendations of the Audit, Labor and Government Efficiency Committee

011843 **[MOU - Fighters, Local 798, Unit 1]**
Mayor, Supervisors Daly, Newsom, Ammiano, Leno, Peskin

Ordinance adopting and implementing the provisions of a Memorandum of Understanding between the San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO Unit 1 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003. (Mayor)

(Fiscal impact.)

Supervisors Newsom, Ammiano and Leno requested to be added as co-sponsors.
PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011868 **[MOU - Fire Fighters, Local 798, Unit 2]**
Mayor, Supervisors Daly, Newsom, Ammiano, Leno, Peskin

Ordinance adopting and implementing the provisions of a Memorandum of Understanding between the San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO Unit 2 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003. (Mayor)

(Fiscal impact.)

Supervisors Newsom, Ammiano and Leno requested to be added as co-sponsors.
PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Finance Committee

011794 **[Arts Commission Street Artists Fund - Accumulation of Interest]**
Supervisor Ammiano

Ordinance amending the San Francisco Administrative Code by amending Section 10.100-32 to expressly allow for accumulation of interest on any amount deposited in the Arts Commission Street Artists Fund.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011848 **[New Deadline for Submission of Budget to Board of Supervisors]**
Supervisors McGoldrick, Daly

Ordinance amending Administrative Code Section 3.3 to (1) require the Mayor to submit a preliminary budget to the Board of Supervisors by the first working day of April 2002 for the 2002-2003 fiscal year; (2) require that the existing timetable for submission of the budget expire on December 31, 2002, and (3) state the intention of the Board of Supervisors to approve a new timetable for subsequent fiscal years by not later than September 30, 2002.

(Supervisor Gonzalez dissenting in Committee)

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Ammiano, Daly, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Gonzalez, Hall

011934 **[Amending Administrative Code to increase the cash revolving fund for Public Health]**
Ordinance amending Section 10.154 of the San Francisco Administrative Code increasing the cash revolving account for Public Health from $25,000 to $43,000. (Public Health Department)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011946 **[Accept-Expend Federal Grant]**
Supervisor Newsom

Resolution authorizing the Airport Commission to accept and expend a grant in the amount of $2,000,000.00 from the Federal Aviation Administration (FAA) for acquisition of clean air vehicles and infrastructure, and related technical assistance; placing $100,000 on reserve. (Airport Commission)

Resolution No. 922-01
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011964 **[Agreement to Sell Property on Wilder Street, Glen Park]**
Supervisors Leno, Daly, Hall

Resolution approving and authorizing an agreement with Glen Park Marketplace Phoenix, LLC, for the sale of real property located on Wilder Street in Glen Park, for a purchase price of $285,000; finding that competitive bidding is impractical or impossible; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution.

Resolution No. 924-01
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

From Finance Committee Without Recommendation

011870 **[Settlement of Business Tax Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Morgan Stanley Dean Witter & Co. Inc. versus the City and County of San Francisco by payment of a total amount not to exceed $1,200,000.00; the lawsuit was filed on June 22, 2001 in San Francisco Superior Court, Case No. 322-341, entitled Morgan Stanley Dean Witter & Co. Inc., et. al. v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year and plaintiffs shall not file any claims for refunds pursuant to Section 1021 of Article 12B of the San Francisco Business and Tax Regulations Code. (City Attorney)

PASSED ON FIRST READING by the following vote:
Ayes: 8 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Noes: 3 - Daly, Gonzalez, Sandoval

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY

Existing Litigation - City as Defendant

Motion that the Board of Supervisors convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney, regarding the proposed settlement listed above

Supervisor Leno, seconded by Supervisor McGoldrick, moved to convene in closed session. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recess

The Board recessed at the hour of 5:50 p.m. to convene in closed session pursuant to the above motion

Reconvening of the Board

Calling the Roll

The following Supervisors were noted present: Supervisor Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell McGoldrick, Newsom, Peskin, Sandoval, Yee.

Report on Closed Session

Deputy City Attorney reported that the Board of Supervisors met in closed session with the City Attorney under the provisions of Government Code Section 54956.9(a) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above pending litigation.

Persons in attendance:
Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee.
Ted Lakey, Deputy City Attorney;
Julie van Nostern, Deputy City Attorney;
Owen Martikan, Deputy City Attorney;
Louise Renne, City Attorney;
Gloria L. Young, Clerk of the Board;
Gregoire R. Hobson, Deputy Clerk

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor Newsom, seconded by Supervisor Leno, moved not to disclose its closed session deliberations. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Housing, Transportation and Land Use Committee

011562 [Structural Repair of Damaged Buildings]

Ordinance amending Volume 2, Chapter 16, Section 1605.4.3 of the San Francisco Building Code to clarify that damaged buildings will not have to be brought up to 100 percent compliance with current seismic requirements when repaired. (Building Inspection Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

Appointment of President Pro Tempore

At the request of the President, Supervisor Gonzalez assumed the Chair so the President could participate in the debate from the floor concerning the following item.

011181 [Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations.
RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
23rd Street, both sides, between Dolores Street and San Jose Avenue (3500 and 3600 blocks);
24th Street, both sides, between Dolores Street and San Jose Avenue (3500 and 3600 blocks);
25th Street, both sides, between Dolores Street and San Jose Avenue (3600 and 3700 blocks);
26th Street, both sides, between Dolores Street and San Jose Avenue (3600 and 3700 blocks);
27th Street, both sides, between Guerrero and Sanchez Streets (100, 200 and 300 blocks);
27th Street, south side, between Guerrero Street and San Jose Avenue (Unit block);
Alvarado Street, both sides, between Guerrero Street and San Jose Avenue (Unit block);
Cesar Chavez Street, both sides, between Church and Guerrero Streets (3700 and 3800 blocks);
Clipper Street, both sides, between Church and Dolores Streets (Unit block);
Dolores Street, both sides, between 24th and 26th Streets (1100 and 1200 blocks);
Duncan Street, both sides, between Church and Guerrero Streets (100 and 200 blocks);
Elizabeth Street, both sides, between Guerrero and San Jose Streets (Unit block);
Fair Oaks Street, both sides, between 22nd and 26th Streets (100, 200, 300, and 400 blocks);
Guerrero Street, both sides, between 22nd and 28th Streets (1000, 1100, 1200, 1300, 1400, and 1500 blocks);
Juri Street, both sides, between San Jose Avenue and West Terminus (Unit block);
San Jose Avenue, both sides, between 22nd and 26th Streets (Unit, 100, 200, and 300 blocks) (Parking and Traffic Department)

(DPT Order No. 2225.)
(Supervisor Daly dissenting in Committee.)

11/19/01 - Supervisor Ammiano moved, seconded by Supervisor Daly to amend to add the following streets
27th Street, north side, from Guerrero Street to 108 feet easterly (Unit block, 108 foot zone);
29th Street, both sides, between Mission Street and San Jose Avenue (Unit block);
Duncan Street, both sides, between Guerrero Street and San Jose Avenue (Unit block)
Duncan Street, south side, between San Jose and Tiffany Avenues (Unit block);
San Jose Avenue, west side, between 27th and Duncan Streets (500 block);
San Jose Avenue, both sides, between Duncan Street and 29th Streets (600 block);
Tiffany Avenue, both sides, between Duncan and 29th Streets, (Unit and 100 blocks).
AMENDED.

Resolution enacting and rescinding parking regulations at various locations.
RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
23rd Street, both sides, between Dolores Street and San Jose Avenue (3500 and 3600 blocks);
24th Street, both sides, between Dolores Street and San Jose Avenue (3500 and 3600 blocks);
25th Street, both sides, between Dolores Street and San Jose Avenue (3600 and 3700 blocks);
26th Street, both sides, between Dolores Street and San Jose Avenue (3600 and 3700 blocks);
27th Street, both sides, between Guerrero and Sanchez Streets (100, 200 and 300 blocks);
27th Street, north side, from Guerrero Street to 108 feet easterly (Unit block, 108 foot zone);
27th Street, south side, between Guerrero Street and San Jose Avenue (Unit block);
29th Street, both sides, between Mission Street and San Jose Avenue (Unit block);
Alvarado Street, both sides, between Guerrero Street and San Jose Avenue (Unit block);
Cesar Chavez Street, both sides, between Church and Guerrero Streets (3700 and 3800 blocks);
Clipper Street, both sides, between Church and Dolores Streets (Unit block);
Dolores Street, both sides, between 24th and 26th Streets (1100 and 1200 blocks);
Duncan Street, both sides, between Guerrero Street and San Jose Avenue (Unit block);
Duncan Street, south side, between San Jose and Tiffany Avenues (Unit block);
Duncan Street, both sides, between Church and Guerrero Streets (100 and 200 blocks);
Elizabeth Street, both sides, between Guerrero and San Jose Streets (Unit block);
Fair Oaks Street, both sides, between 22nd and 26th Streets (100, 200, 300, and 400 blocks);
Guerrero Street, both sides, between 22nd and 28th Streets (1000, 1100, 1200, 1300, 1400, and 1500 blocks);
Juri Street, both sides, between San Jose Avenue and West Terminus (Unit block);
San Jose Avenue, both sides, between 22nd and 26th Streets (Unit, 100, 200, and 300 blocks)
San Jose Avenue, west side, between 27th and Duncan Streets (500 block)
San Jose Avenue, both sides, between Duncan and 29th Streets (600 block);
Tiffany Avenue, both sides, between Duncan and 29th Streets, (Unit and 100 blocks)
(Parking and Traffic Department)

(DPT Order No. 2225.)
(Supervisor Daly dissenting in Committee.)

Resolution No. 911-01
ADOPTED AS AMENDED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Hall

011874 **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

DIAGONAL (60-DEGREE ANGLE) PARKING - ESTABLISH
NO PARKING ANYTIME, EXCEPT DPT ENFORCEMENT VEHICLES - ESTABLISH
10th Street, east side, from Bryant Street to 250 feet southerly (250-foot zone)

NO PARKING ANYTIME - ESTABLISH
Cook Street, along north terminus, north of Geary Boulevard, from the west curb line to 23 feet easterly (23-foot zone, adjacent to Euclid Avenue stairs)

ONE-HOUR PARKING TIME LIMIT, NOVEMBER THROUGH MARCH, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
2nd Street, west side, from Townsend Street to 105 feet southerly (105-foot zone, to be replaced by taxi zone)

TAXI ZONE (EFFECTIVE ON PACIFIC BELL PARK EVENT DAYS ONLY) - RESCIND
2nd Street, west side, from 9 feet to 42 feet south of Townsend Street (33-foot zone)

TAXI ZONE (EFFECTIVE ON PACIFIC BELL PARK EVENT DAYS ONLY) - ESTABLISH
2nd Street, west side, from 9 feet to 105 feet south of Townsend Street (96-foot zone)

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Duboce Avenue, north side, from Steiner Street to 23 feet westerly (23-foot zone, accommodating 6 motorcycle stalls)

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Channel Street, south side, from Carolina Street to 140 feet easterly (140-foot zone)
Channel Street near Carolina Street, along the west side of the fence crossing Channel Street, from the south property line of Channel Street to 110 feet northerly (110-foot zone)
Custer Avenue, both sides, between 3rd and Quint Streets

NO PARKING ANYTIME - RESCIND
Hallam Street, west side, from Brush Street to the south terminus

RESIDENTIAL PERMIT PARKING AREA "U" (1-HOUR TIME LIMIT, 8 AM - 10 PM, EVERYDAY) - ESTABLISH
Hallam Street, both sides, between Folsom Street and south terminus (unit block)
NOTE: Signs will only be installed on the west side, between Brush Street and the south terminus

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Shrader Street, west side, between Alma and Grattan Streets (1200 block, odd-numbered side only)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Clearfield Drive, east side, from Sloat Boulevard to 40 feet southerly (40-foot zone)
Shakespeare Street, south side, from 151 feet to 176 feet west of Rhine Street (25-foot zone opposite #120 Shakespeare Street, eliminates 1 parking space) (Parking and Traffic Department)

(DPT Order No. 2321.)

Resolution No. 915-01
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011963 **[Plaza Hotel Site Development]**
Supervisors Daly, Peskin, Gonzalez, Ammiano, McGoldrick, Sandoval

Resolution supporting expeditious community-based development at the Plaza Hotel Site at 988-992 Howard Street in the South of Market earthquake recovery redevelopment area by TODCO with 115 units of new affordable housing and Bindlestiff Theater.

(District 6.)

Supervisor Sandoval requested to be added as a co-sponsor.

Resolution No. 935-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Yee

Recommendations of the Public Health and Environment Committee

011880 **[Contract funds for study of long-term effects of HIV infection]**
Supervisor Leno

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $69,799 with Public Health Foundation Enterprises Inc. (PHFE), the primary contractor, to fund a study of HIV Strain Diversity and Nonprogressors; for the period of July 1, 2001 to June 30, 2002. (Public Health Department)

Resolution No. 916-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011882 **[Study of Viagra Use Among Men Who Have Sex With Men in San Francisco]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into a subcontract agreement in the amount of $25,000 with the Regents of the University of California to participate in a project to study the use of Viagra among men who have sex with men in San Francisco; for the period of July 1, 2001 to June 30, 2002. (Public Health Department)

Resolution No. 917-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdalla Megahed, serve the homeless on Thanksgiving;
James Pye, Jr., support for son.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

012072 **[Legislative Analyst Request]**
Supervisor Daly

Motion requesting the Legislative Analyst to: (1) investigate and report on San Francisco's existing policies and expenditures related to independent living of seniors and persons with disabilities: (2) investigate and report on policies in other jurisdictions; and, (3) recommend policy approaches to foster independent living in San Francisco for seniors and persons with disabilities.

APPROVED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee

Items 35 through 45

012045 **[Modern Times Bookstore]**
Supervisors Ammiano, Daly, Leno

Resolution condemning the intolerant defacement of windows at Modern Times Books while displaying books of Middle Eastern themes and symbolism.

Resolution No. 925-01
ADOPTED

012047 **[Urging Passage of HR1990 and S940]**
Supervisors Leno, Maxwell, McGoldrick

Resolution urging the U.S. Congress to begin committee hearings and to enact HR1990 and S940, the Act to Leave No Child Behind.

Resolution No. 926-01
ADOPTED

012048 **[Sail San Francisco Day]**
Supervisors Peskin, Newsom, Hall

Resolution declaring August 28, 2002 as Sail San Francisco Day in the City and County of San Francisco, in support of an organization that advances San Francisco's rich maritime legacy and provides a public forum for international cultural exchange and unique educational experiences.

Resolution No. 927-01
ADOPTED

012050 **[Commend - Congresswoman Nancy Pelosi]**
Supervisors Leno, Newsom, Maxwell, McGoldrick

Resolution commending Congresswoman Nancy Pelosi on her tremendous contributions to improve the health of San Francisco.

Resolution No. 929-01
ADOPTED

012051 **[Commend - Reuben Smith]**
Supervisors Maxwell, Daly, Leno

Resolution commending Reuben Smith for his 38 years of dedication and exemplary service to the Hunter's Point Boys and Girls Club to the Bay View Hunter's Point Community.

Resolution No. 930-01
ADOPTED

012052 **[Commend - Wells Fargo Bank]**
Supervisor Sandoval

Resolution commending Wells Fargo Bank's outreach to the Hispanic community by accepting identification cards issued by the Mexican government for new account openings and banking transactions.

Resolution No. 931-01
ADOPTED

012053 **[Commend - Reverend Roland Gordon]**
Supervisor Sandoval

Resolution commending Reverend Roland Gordon.

Resolution No. 932-01
ADOPTED

012054 **[Revenue Bonds - Robinson Affordable Housing, Inc.]**
Supervisor Maxwell

Resolution authorizing the issuance and sale of multifamily housing revenue bonds by California Statewide Communities Development Authority in an aggregate principal amount not to exceed $22,000,000 for Robinson Affordable Housing, Inc. or an affiliate.

Resolution No. 933-01
ADOPTED

012055 **[Revenue Bonds - Ridgeview Terrace Affordable Housing, Inc.]**
Supervisor Maxwell

Resolution authorizing the issuance and sale of multifamily housing revenue bonds by California Statewide Communities Development Authority in an aggregate principal amount not to exceed $17,000,000 for Ridgeview Terrace Affordable Housing, Inc. or an affiliate.

Resolution No. 934-01
ADOPTED

011599 **[Final Map for a 12 Unit Live/Work Condominium Project]**
Motion approving Final Map of 188 South Park Avenue, a Live/Work Condominium Project, being a subdivision of Lot 71, Assessor's Block No. 3775, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,249; District 6.)

Motion No. M01-167
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Severed from Adoption Without Committee Reference

012049 **[Matricula Consular as Official Identification]**
Supervisors Sandoval, Gonzalez

Resolution urging the San Francisco Police, Sheriff and other local agencies to recognize the "matricula consular," issued by the Mexican government, as official identification in the City and County of San Francisco.

11/19/01 - Supervisor Sandoval, seconded by Supervisor Leno moved to amend. On line 8, delete "such as jaywalking or driving without a license"; on line 23 replace "matricular" with "matricula".
AMENDED.

Resolution No. 928-01
ADOPTED AS AMENDED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Yee, seconded by Supervisor Newsom, moved. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yee, seconded by Supervisor Newsom, moved [Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Imperative Agenda

012090 [Transfer of Channel 66 to Univision]
Supervisor Yee

Resolution urging the Federal Communications Commission to conditionally approve the transfer of majority ownership of KPST-TV Channel 66, to Univision, conditioned upon the maintenance of current Chinese language programming; and urging the conduct of a public hearing in San Francisco before the transfer is considered by the Commission.

REFERRED to the Economic Vitality, Small Business and Social Policy Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

012091 **[Criminal Justice Facilities Fund]**
Supervisor Ammiano

Ordinance adding Section 10.100-354 to Article XIII of the San Francisco Administrative Code to create the Criminal Justice Facilities Construction Fund, and increasing fines by $2.50.

(Fiscal impact.)
11/19/01, RECEIVED AND ASSIGNED to Finance Committee.

011798 **[Interim Zoning Requiring Conditional Use Authorization for Large Retail Uses]**
Supervisor Ammiano

Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for large retail uses in C-2, C-M, M-1, M-2, RSD, SLR, SLI, SPD and SSO zones, including, where permissible, lots under the jurisdiction of the San Francisco Port Commission, for a one year period and making a determination of consistency with the priority policies of Planning Code Section 101.1.

(Received Certificate of Exemption/Exclusion from Environmental Review dated 12/7/01)
10/9/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee. 10/18/01 - Transmitted to Director of Planning for environmental review.

11/19/01, SUBSTITUTED. Supervisor Ammiano submitted a substitute resolution bearing new title.

11/19/01, ASSIGNED to Housing, Transportation and Land Use Committee. 11/21/01 - Substitute resolution transmitted to Director of Planning for environmental review.

010787 **[Howard Street Bike Lane]**
Supervisor Daly

Resolution establishing a striped bicycle lane on Howard Street between 5th Street and 11th Street, excluding a 200-foot stretch east of 9th Street; authorizing the Department of Parking and Traffic to convert the part-time tow-away zone to full-time parking.
4/30/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

11/19/01, SUBSTITUTED. Supervisor Daly submitted a substitute resolution bearing new title.

11/19/01, ASSIGNED to Housing, Transportation and Land Use Committee.

Resolutions

012090 **[Transfer of Channel 66 to Univision]**
Supervisor Yee

Resolution urging the Federal Communications Commission to conditionally approve the transfer of majority ownership of KPST-TV Channel 66, to Univision, conditioned upon the maintenance of current Chinese language programming; and urging the conduct of a public hearing in San Francisco before the transfer is considered by the Commission.
11/19/01, REFERRED to Economic Vitality, Small Business and Social Policy Committee.

012092 [Shadows on Schools]
Supervisors Daly, Ammiano

Ordinance adding Section 296 to the Planning Code to require that the City Planning Commission review all building permit applications for new structures which will cast shade or shadow upon the site of a public or private elementary or secondary school.
11/19/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee. 11/21/01 - Transmitted to Planning Commission for public hearing and recommendations.

012093 [United Nations Plaza]
Supervisor Daly

Resolution approving a revocable permit for a collectible/antique market at United Nations Plaza.
11/19/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012094 [Palace of Fine Arts]
Supervisors Hall, Peskin

Resolution expressing the intention of the Board of Supervisors that the theatre at the Palace of Fine Arts remain a facility for the use of artists groups, community groups, non-profit organizations, and neighborhood activities.
11/19/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012095 [Small Business Commission Violent Crime Information Reward Fund]
Supervisor Hall

Resolution urging the Small Business Commission to coordinate with small businesses throughout the City to create a Violent Crime Information Reward Fund.
11/19/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012096 [San Francisco SAFE Day]
Supervisors Sandoval, Daly

Resolution proclaiming December 5, 2001 "San Francisco SAFE Day" in the City and County of San Francisco in honor of the 25th anniversary of San Francisco SAFE.
11/19/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012097 [Commend - Feral Cat Day]
Supervisor Daly

Resolution commending the good works of the San Francisco Society for the Prevention of Cruelty to Animals (SF SPCA) and proclaiming October 16, 2001 Feral Cat Day in San Francisco.
11/19/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012098 [Commend - Tooth Mobile]
Supervisors Leno, McGoldrick, Maxwell, Newsom

Resolution commending Tooth Mobile for making dental care affordable and accessible to uninsured children.
11/19/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012099 [Commend - San Francisco SAFE, Inc.]
Supervisors Leno, Maxwell, McGoldrick, Daly

Resolution commending San Francisco SAFE, Inc. for their twenty-five years of crime prevention in San Francisco.
11/19/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012100 [Commend - SF Black Lesbian, Gay, Bisexual and Transgender Film Festival]
Supervisors Leno, Maxwell, McGoldrick, Daly

Resolution commending the San Francisco Black Lesbian, Gay, Bisexual and Transgender Film Festival.
11/19/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012101 [Commend - Fran Martin]
Supervisors Maxwell, Leno, Ammiano, Peskin

Resolution commending Fran Martin for her dedication and exemplary service to the community and proclaiming December 8, 2001 as Fran Martin Day in San Francisco.
11/19/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012102 [Commend - Mark Owens]
Supervisor Newsom

Resolution commending Dean Mark Owens for forty years of service to San Francisco Law School.
11/19/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012103 [Proclamation - Daniel Fianne Day]
Supervisors Sandoval, Peskin

Resolution proclaiming December 3rd as "Daniel Finanne Day" in recognition of his efforts to restore the "Fountain of the Tortoises" as part of San Francisco's annual holiday tree-lighting ceremony in Huntington Park.
11/19/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012104 [Commend - Balboa High School]
Supervisors Sandoval, Hall

Resolution commending Balboa High School's achievement in the Environment Fact Bowl at the Sustainability Fair.
11/19/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012105 [Commend - Deborah Gallegos]
Supervisors Sandoval, Daly

Resolution commending Deborah Gallegos for her outstanding work in recreating the mural, "Waiting for the 52", at the corner of Excelsior and Mission Streets.
11/19/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012114 [Commend - Jeanne W. Halpern, Eileen O'Hara, and R. C. Vankooy]
Supervisor Hall

Resolution commending Jeanne W. Halpern, Eileen O'Hara, and R. C. Vankooy whose short stories appear in Paul Auster's "I Thought My Father Was God."
11/19/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

012106 [Office of Public Power]
Supervisor Hall

Hearing on the implementation of File 011536 and the presentation from the Public Utilities Commission, the Mayor's PUC Infrastructure Task Force, and the City Attorney's Office to explain in better detail how we, as a City, could enter into the business of buying and selling electricity by creating an Office of Public Power within the Public Utilities Commission.
11/19/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee.

012107 [Pembarton Stairs]
Supervisor Leno

Hearing to review the status of reconstruction work on the Pembarton Stairs, adjacent to Clayton Street, which have been in the process of reconstruction since 1993.
11/19/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

012108 [Special Funds Within City Budget]
Supervisor McGoldrick

Hearing to consider an analysis by the Controller's Office of "special funds" within the City Budget.
11/19/01, RECEIVED AND ASSIGNED to Finance Committee.

012109 **[Annual Homeless Count]**
Supervisor Newsom

Hearing to consider the Mayor's Office of Homelessness' annual homeless count of November 16th, 2001
11/19/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

012110 **[Air Ambulance Landing Pads]**
Supervisor Newsom

Hearing regarding the needs of the City and County of San Francisco for air ambulance landing pads for patients requiring timely trauma care at one or more locations in San Francisco.
11/19/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

012111 **[Parking Meters]**
Supervisor Peskin

Hearing regarding City operated parking meters and the enhancement of quality control to ensure that local parking meters are monitored, flagged and repaired in an adequate and timely manner.
11/19/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

Motions

012089 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
11/19/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012112 **[Public Hearing by Finance Committee on Mayor's Budget Instructions]**
Supervisor Peskin

Motion amending Rule 5.1 of the Rules of Order of the Board of Supervisors to require the Finance Committee to hold a public hearing on the Mayor's budget instructions to City Departments for each annual City budget after the instructions are released.
11/19/01, RECEIVED AND ASSIGNED to Rules Committee.

012113 **[Legislative Analyst Request]**
Supervisor Hall

Motion asking the Legislative Analyst to prepare a report comparing the best practices in social services tied to the enforcement of "civility laws" in Seattle to the best practices in social services tied to the enforcement of quality of life crimes in San Francisco.
11/19/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration December 3, 2001.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

011842 **[Grant for older adults at risk for institutionalization or emergency public services]**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of $985,000 from the California Department of Mental Health (CDMH) for the first year of the San Francisco City and County "Older Adult Partnership Assessment and Care Management" project to develop and implement an older adult system of care; for the period of Fiscal Year 2001 through Fiscal Year 2002. (Public Health Department)

11/9/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee. Department requests this item be calendared at the November 27, 2001 meeting.

Requests Granted

From: Supervisor Ammiano
To: City Attorney
Requesting/Inquiring: To draft an ordinance to require regular reporting and oversight of master-leased Single Room Occupancy hotels.

From: Supervisor Gonzalez
To: Executive Director, Department of Parking and Traffic
Requesting/Inquiring: To investigate and report on the feasibility of placing stop signs for all four directions on the corner of Irving and 10th Avenue. The Supervisor requests that the Department of Parking and Traffic conduct traffic survey to assess the impacts of placing stop signs on the corner of Irving and 10th Avenue
Due: December 19, 2001

From: Supervisor Gonzalez
To: Mayor's Office
Requesting/Inquiring: To report on the Minimum Compensation Ordinance, specifically.
1. Are nonprofits covered by the Minimum Compensation Ordinance required to notify their employees of the right to receive a minimum comp of S9 per hour or S10 per hour?
2. If a nonprofit employee decides to cash-out on paid time off, is this amount on top of S9 per hour or S10 per hour?
3. Does the minimum compensation amount revert back to S9 per hour next year?
4. Were all nonprofits covered by the Minimum Compensation Ordinance given the additional funding to raise workers wages to S10 per hour?
5. If a nonprofit worker is receiving less than S10 per hour what is their grievance procedure?

From: Supervisor Maxwell
To: Executive Director, Department of Parking and Traffic
Requesting/Inquiring: To conduct an investigation on the feasibility to install additional traffic signals or stop signs in the following areas:
1. San Bruno Avenue and Felton Street: need for three way stop signs.
2. San Bruno Avenue and Dwight Street: need for traffic lights instead of stop signs.
3. Rutland Street and Arleta Avenue: need for four way stop sign.

From: Supervisor Newsom
To: Director, Department of Human Services
Requesting/Inquiring: To investigate and report on the security measures that are required in each service contract for City homeless shelters and the amount of incidents relating to client and employee safety over the last 3 years for each facility the City operates.

From: Supervisor Newsom
To: Director, Department of Human Services
To: Director, Mayor's Office of Homelessness
Requesting/Inquiring: That the Department of Human Services and Mayor's Office of Homelessness report on what efforts have been made to ensure the tracking of inspections for City run shelters and what efforts have been made to benchmark the number of inspection deficiencies at our City run shelters.

From: Supervisor Newsom
To: Director, Mayor's Office of Homelessness
Requesting/Inquiring: To report on the current terms, fees and services provided by check cashing facilities with contracts at the Department of Human Services and other City agencies.

From: Supervisor Newsom
To: Director, Department of Human Services
To: Director, Mayor's Office of Homelessness
Requesting/Inquiring: That the Department of Human Services and Mayor's Office of Homelessness report on the cost of implementing a check cashing system similar to Seattle's that is staffed by social workers and managed as a bank and a payee service.

From: Supervisor Newsom
To: Director, Department of Human Services
To: Director, Mayor's Office of Homelessness
Requesting/Inquiring: That the Department of Human Services and Mayor's Office of Homelessness report on the feasibility of organizing a client tracking database system shared by regional and State agencies to assess management efficiency for homeless clients, emergency contracts, criminal history, medical history, substance abuse history, employment background, military background, financial background, educational background and family background.

From: Supervisor Newsom
To: Director, Department of Human Services
To: Director, Mayor's Office of Homelessness
Requesting/Inquiring: That the Department of Human Services and Mayor's Office of Homelessness report what efforts have been made for interdepartmental communication between the Mayor's Office of Homelessness, Mayor's Office of Housing, Department of Human Services, Department of Public Works, Recreation and Park Department, Commission on the Status of Women, Department of Children, Youth and Their Families, Commission on Aging, Police Department, District Attorney's Office, City Attorney's Office and State and Federal Agencies in order to better keep track of clients and their needs.

From: Supervisor Newsom
To: Director, Department of Human Services
To: Director, Mayor's Office of Housing
To: Director, Mayor's Office of Homelessness
Requesting/Inquiring: That the Department of Human Services, Mayor's Office of Housing and the Mayor's Office of Homelessness report if there is any performance based incentives offered to any service care providers for homeless services based on the following measurements:
1. Number of clients placed in permanent housing
2. Success of substance abuse programs - long and short term
3. Mental Health - medical facilities
4. Placement of chronically homeless
5. Reduction of length of stay in the Department of Human Services
6. School attendance
7. Employment placements

From: Supervisor Peskin
To: Director, Mayor's Budget Office
Requesting/Inquiring: To inform the Mayor's Budget Office of $6 to $12 million in unanticipated funds likely to be available this fiscal year based on the discovery of unbilled property taxes among condominium owners. Supervisor Peskin inquires how these funds will impact planned budget cuts to be implemented by the Mayor's Office during this fiscal year.

From: Supervisor Sandoval
To: City Attorney
Requesting/Inquiring: To draft legislation requiring all City departments to report all competitive solicitations to the Purchaser.
Due: December 17, 2001

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Lee Rothman (Supervisor Leno)
Alejandro Raul Espinosa (Supervisor McGoldrick)
Anne Hombeck (Supervisor Peskin)
Todd James Shields (Supervisor Ammiano)
Wing Gim Jin (Supervisors Yee, Newsom)

ADJOURNMENT

There being no further business, the Board at the hour of 6:12 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 14, 2002.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited

Gloria L. Young
Clerk of the Board

F
90
72
/3/01
c 2

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

***City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689***

MEETING MINUTES

DOCUMENTS DEPT
FEB 26 2002
SAN FRANCISCO
PUBLIC LIBRARY

Monday, December 3, 2001 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Audit, Labor and Government Efficiency Committee Supervisors Newsom, Daly, McGoldrick	2nd & 4th Tuesday 1:00 PM
City and School District Committee Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar	Call of the Chair 3:00 PM
Economic Vitality, Small Business and Social Policy Committee Supervisors Sandoval, Newsom, Gonzalez	1st & 3rd Tuesday 10:00 AM
Finance Committee Supervisors Leno, Peskin, Maxwell	Wednesday 12:30 PM
Housing, Transportation and Land Use Committee Supervisors McGoldrick, Daly, Peskin	2nd & 4th Thursday 10:00 AM
Neighborhood Services and Parks Committee Supervisors Yee, Hall, Sandoval	1st & 3rd Tuesday 1:00 PM
Public Health and Environment Committee Supervisors Maxwell, Yee, Leno	2nd & 4th Tuesday 10:00 AM
Public Utilities and Deregulation Committee Supervisors Daly, Gonzalez, Ammiano	Call of the Chair --
Rules Committee Supervisors Gonzalez, Hall, Ammiano	1st & 3rd Thursday 1:00 PM

First-named Supervisor/Commissioner is Chair. Second-named Supervisor/Commissioner is Vice-Chair, of the Committee

Volume 96 Number 46

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisor was noted absent:

Supervisor McGoldrick - 1.

Quorum present.

Supervisor McGoldrick was noted present at 2:03 p.m.

APPROVAL OF MEETING MINUTES

Motion to approve the October 9, and October 15, 2001, Meeting Minutes.

Supervisor Sandoval, seconded by Supervisor Yee, moved to approve the October 9, and October 15, 2001 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 1 - McGoldrick

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled or considered differently.

Supervisor Ammiano indicated the matters relating to the appeal at 692-696 De Haro Street, Files 011995, 011996, 011997 and 011998. (See infra.)

COMMUNICATIONS

Items 1 through 14

CONSENT AGENDA

Recommendations of the Audit, Labor and Government Efficiency Committee

011876 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by A. Ruiz Construction Company against the City and County of San Francisco for $200,000.00; the lawsuit was filed on July 10, 2000, in San Francisco Superior Court, Case No. 312-041; entitled A. Ruiz Construction Company v. City and County of San Francisco (City Attorney)

Ordinance No. 238-01

FINALLY PASSED

011877 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by 111 Chestnut Street Condominium Homeowners Association, 220 Lombard Street Condominium Homeowners Association, 240 Lombard Street Condominium Homeowners Association, Lombard Plaza Owners Association, associations representing property owners of the Parc Telegraph development, against the City and County of San Francisco for $41,500, monitoring services of Frank Rollo, Sr., and debris removal; the lawsuit was filed on November 13, 1997 in the Superior Court of San Francisco, Case No. 991-050; entitled 111 Chestnut Condominium Homeowners Association, et al v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 239-01

FINALLY PASSED

011904 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco and the Environmental Law Foundation against the United States Tobacco Company, other manufacturers of smokeless tobacco products, and major retail chains that sell smokeless tobacco in California, for $2,750,000; the lawsuit was filed on March 31, 1998 in San Francisco Superior Court, Case No. 993-992; entitled City and County of San Francisco and Environmental Law Foundation v. United States Tobacco Co., et al.; other material terms of said settlement are that the smokeless tobacco manufacturers shall distribute warning signs required by Proposition 65 to their retailers throughout the state, and that the retailer defendants shall post those signs. (City Attorney)

Ordinance No. 240-01

FINALLY PASSED

011526 **[Reward Authorization]**

Ordinance authorizing payment of reward to Selina Archuletta and Raven Meadows. (Mayor)

PASSED, ON FIRST READING

011598 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Teddy Querubin against the City and County of San Francisco for $200,000.00; the lawsuit was filed on 6/30/98 in United States District Court. Northern District. Case No. C98-04414 JL; entitled Teddy Querubin v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

Recommendation of the Economic Vitality, Small Business and Social Policy Committee

011903 **[Accept and Expend Federal Technology Grant]**
Supervisor Sandoval

Resolution authorizing the Department of Aging and Adult Services to retroactively accept and expend a grant in the amount of $899,113 from the United States Department of Commerce Technology Opportunities Program to further implement elements of SF-GetCare. (Adult and Aging Services)

Resolution No. 949-01
ADOPTED

Recommendation of the Public Health and Environment Committee

011842 **[Grant for older adults at risk for institutionalization or emergency public services]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of $985,000 from the California Department of Mental Health (CDMH) for the first year of the San Francisco City and County "Older Adult Partnership Assessment and Care Management" project to develop and implement an older adult system of care; for the period of Fiscal Year 2001 through Fiscal Year 2002. (Public Health Department)

Resolution No. 945-01
ADOPTED

Recommendations of the Rules Committee

000792 **[Appointment]**
Resolution appointing Robert Douglas and Carol Knight, terms ending January 31, 2004, to the Mental Health Board.

Robert Douglas, succeeding Renee Deger, term expired, seat 13, must be a family member, for a new three-year term ending January 31, 2004;
Carol Knight, succeeding Brian Peagler, term expired, seat 14, must be a family member, for a new three-year term ending January 31, 2004.

Resolution No. 937-01
ADOPTED

011944 **[Appointment]**

Resolution appointing Peter Doty, Marianne Love, Lotus Yee Fong, Ada Chan, Lisa Feldstein, Rene Cazenave Marc Salomon, James Tracy, David Jay Bonn, Ash Kumar Gujral, Philip Williams, and Mark Wilson, terms to be determined, to the Community Land Trust Task Force, residency requirement waived.

Peter Doty, new appointment, seat 1, must represent San Francisco neighborhoods at large, term to be determined;
Marianne Love, new appointment, seat 2, must represent San Francisco neighborhoods at large, term to be determined;
Lotus Yee Fong, new appointment, seat 3, must represent San Francisco neighborhoods at large, term to be determined;
Ada Chan, new appointment, seat 4, must represent San Francisco neighborhoods at large, term to be determined;
Lisa Feldstein, new appointment, seat 5, must represent San Francisco neighborhoods at large, term to be determined;
Rene Cazenave, new appointment, seat 6, must be an affordable housing advocate or a nonprofit housing developer, term to be determined;
Marc Salomon, new appointment, seat 7, must be a tenant advocate, term to be determined;
James Tracy (residency requirement waived), new appointment, seat 8, must be a homeless advocate, term to be determined;
David Jay Bonn (residency requirement waived), new appointment, seat 9, must be a member of an existing community land trust organization, term to be determined;
Ash Kumar Gujral, new appointment, seat 10, must be a person experienced in the private financing of housing and experienced as a licensed realtor, term to be determined;
Philip Williams (residency requirement waived), new appointment, seat 11, must be a person experienced in public financing of housing, term to be determined;
Mark Wilson, new appointment, seat 12, must represent the small business community and be nominated by the City's Small Business Commission or the San Francisco Chamber of Commerce, term to be determined.

Resolution No. 951-01
ADOPTED

011949 **[Appointment]**

Resolution appointing Scott Campbell and Judith Chavez, terms to be determined, to the Emergency Room Diversion Task Force.

Scott Campbell, new position, seat 1, must be an emergency room physician from a non-profit health maintenance organization, term to be determined;
Judith Chavez, new position, seat 14, must represent labor, term to be determined.

Resolution No. 952-01
ADOPTED

011951 **[Appointment]**

Resolution appointing Heather Sterner, term ending April 27, 2002, to the Sunshine Ordinance Task Force

Heather Sterner, succeeding Tuesday Ray, seat 5, must be appointed from names submitted by the League of Women Voters, for the unexpired portion of a two-year term ending on April 27, 2002.

Resolution No. 953-01
ADOPTED

012035 **[Appointment]**
Resolution appointing Allyson Washburn, term ending November 30, 2002, to the Ballot Simplification Committee.

Allyson Washburn, succeeding Mary Hilton, term expired, seat 3, must represent the League of Women Voters, for a new two-year term ending November 30, 2002.

Resolution No. 936-01
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Severed from Consent Agenda

011850 **[Commending Congresswoman Nancy Pelosi]**
Supervisors Daly, Newsom, Leno

Resolution commending Congresswoman Nancy Pelosi on the occasion of being elected Democratic Whip of the United States House of Representatives and extending the congratulations of the Board of Supervisors.

Supervisor Gonzalez requested this item be severed so it could be considered separately.
Resolution No. 946-01
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Gonzalez

011784 **[Appointment]**
Resolution appointing David Bisho, John Trasvina, and Quintin Mecke, terms to be determined, to the Elections Task Force. (Clerk of the Board)

David Bisho, seat 1, must be appointed by the Board of Supervisors, term to be determined;
John Trasvina, seat 2, must be appointed by the Board of Supervisors, term to be determined;
Quintin Mecke, seat 3, must be appointed by the Board of Supervisors, term to be determined.

Supervisor Yee requested this item be severed so it could be considered separately.
Resolution No. 943-01
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Audit, Labor and Government Efficiency Committee

011843 [MOU - Fighters, Local 798, Unit 1]
Mayor, Supervisors Daly, Newsom, Ammiano, Leno, Peskin

Ordinance adopting and implementing the provisions of a Memorandum of Understanding between the San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO Unit 1 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003. (Mayor)

(Fiscal impact.)

Ordinance No. 235-01
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011868 [MOU - Fire Fighters, Local 798, Unit 2]
Mayor, Supervisors Daly, Newsom, Ammiano, Leno, Peskin

Ordinance adopting and implementing the provisions of a Memorandum of Understanding between the San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO Unit 2 and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003. (Mayor)

(Fiscal impact.)

Ordinance No. 237-01
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Finance Committee

011794 [Arts Commission Street Artists Fund - Accumulation of Interest]
Supervisor Ammiano

Ordinance amending the San Francisco Administrative Code by amending Section 10.100-32 to expressly allow for accumulation of interest on any amount deposited in the Arts Commission Street Artists Fund.

Ordinance No. 234-01
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011848 [New Deadline for Submission of Budget to Board of Supervisors]
Supervisors McGoldrick, Daly

Ordinance amending Administrative Code Section 3.3 to (1) require the Mayor to submit a preliminary budget to the Board of Supervisors by the first working day of April 2002 for the 2002-2003 fiscal year; (2) require that the existing timetable for submission of the budget expire on December 31, 2002, and (3) state the intention of the Board of Supervisors to approve a new timetable for subsequent fiscal years by not later than September 30, 2002.

(Supervisor Gonzalez dissenting in Committee)

Ordinance No. 236-01
FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Daly, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Gonzalez, Hall

011934 [Amending Administrative Code to increase the cash revolving fund for Public Health]
Ordinance amending Section 10.154 of the San Francisco Administrative Code increasing the cash revolving account for Public Health from $25,000 to $43,000. (Public Health Department)

Ordinance No. 241-01
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

From Finance Committee Without Recommendation

011870 [Settlement of Business Tax Lawsuit]
Ordinance authorizing settlement of the lawsuit filed by Morgan Stanley Dean Witter & Co. Inc. versus the City and County of San Francisco by payment of a total amount not to exceed $1,200,000.00; the lawsuit was filed on June 22, 2001 in San Francisco Superior Court, Case No. 322-341, entitled Morgan Stanley Dean Witter & Co. Inc., et. al. v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year and plaintiffs shall not file any claims for refunds pursuant to Section 1021 of Article 12B of the San Francisco Business and Tax Regulations Code. (City Attorney)

Ordinance No. 231-01
FINALLY PASSED by the following vote:
Ayes: 8 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Noes: 3 - Daly, Gonzalez, Sandoval

Recommendations of the Housing, Transportation and Land Use Committee

011562 [Structural Repair of Damaged Buildings]
Ordinance amending Volume 2, Chapter 16, Section 1605.4.3 of the San Francisco Building Code to clarify that damaged buildings will not have to be brought up to 100 percent compliance with current seismic requirements when repaired. (Building Inspection Department)

Ordinance No. 233-01
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Neighborhood Services and Parks Committee

011450 **[Restructuring Delinquency Prevention Commission]**
Supervisor Yee

Ordinance amending San Francisco Administrative Code Sections 20.50, 20.51, and 20.52 to restructure the Delinquency Prevention Commission to reduce the number of members, provide for one commissioner appointment by each individual Supervisor on the Board of Supervisors through the Rules Committee, establish minimum educational background or experience criteria for appointment, provide for two members between the ages of 14 and 21 years of age, and require that the Department of Children, Youth and Their Families provide staff and administrative support.

Ordinance No. 232-01
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Daly

NEW BUSINESS

Recommendation of the Economic Vitality, Small Business and Social Policy Committee

011786 **[Liquor License Transfer, 473 Broadway]**
Resolution determining that the transfer of a Type 47 on-sale general eating place liquor license from 1024 Kearny Street to Maximum Productions, Inc. dba "Hi Ball Lounge" located at 473 Broadway (District 3), and at the same time exchange said Type 47 license to Type 48 on-sale general public premises license, will serve the convenience of the people of the City and County of San Francisco.

Resolution No. 944-01
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Finance Committee

011389 **[Management Agreement for the North Beach and Vallejo Street Garages]**
Resolution approving the award of the Management Agreement for the North Beach Garage and the Vallejo Street Garage to Pacific Park Management Incorporated. (Parking and Traffic Department)

(Fiscal impact.)

Resolution No. 938-01
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011665 **[Proposed expenditure of California Healthcare for Indigents Program (CHIP) funds for Fiscal Year 2001-02]**

Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2001-02 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for the Fiscal Year 2001-02. (Public Health Department)

Resolution No. 942-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011883 **[Prop J Contract, Pacific Park Management, Inc.]**

Resolution approving: (1) The Controller's certification that Employee Parking Management Services for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels, and (2) The contract between Pacific Park Management, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, to provide said services. (Airport Commission)

(Fiscal impact.)

Resolution No. 947-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011884 **[Airport Operating Agreement]**

Resolution approving the Airport Public Facilities Operating Agreement between Ampco System Parking and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Fiscal impact.)
(Supervisor Peskin dissenting in Committee)

Resolution No. 948-01

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Sandoval, Yee
Noes: 2 - Gonzalez, Peskin

Recommendation of the Housing, Transportation and Land Use Committee

011408 **[Limousines for Hire Parking Regulations]**

Supervisors Sandoval, McGoldrick, Daly, Peskin, Newsom, Leno

Ordinance adding section 63.2 to the San Francisco Traffic Code prohibiting the parking of certain vehicles for hire in residential areas.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Neighborhood Services and Parks Committee

011755 **[Hydrofluoric Acid]**

Supervisors Peskin, Newsom, Maxwell, Hall, Leno

Ordinance amending the San Francisco Police Code by adding a new Article 42D to restrict access to products containing hydrofluoric acid in solution and assessing criminal penalties for violation of this Article.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011930 **[Accept-Expend Federal Grant]**

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend grant funds made available through the U.S. Department of Justice-Office of Justice Programs for a project entitled "Internet Crimes Against Children (ICAC) Task Force Program - San Francisco Satellite Initiative." (Police Department)

Resolution No. 950-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011595 **[Grant - Public Library Project Read]**

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $22,000 from the California State Library for continuing family literacy programming as part of Project Read. (Public Library)

Resolution No. 939-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011596 **[Grant - Library Statewide Data Base Program]**

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $10,000 from the California State Library for coverting circulation records for inclusion in the statewide library database. (Public Library)

Resolution No. 940-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011597 **[Grant - School Services Corps, Year 2]**

Resolution authorizing the Department of Public Library to accept retroactively and expend a grant in the amount of $185,558 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for continuing a School Services Corps in cooperation with San Francisco Unified School District (Public Library)

Resolution No. 941-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendation of the Public Health and Environment Committee

012006 [Sanctuary for Medical Cannabis]
Supervisors Leno, Maxwell, Gonzalez, Yee, Daly, Newsom, Ammiano, McGoldrick, Peskin

Resolution declaring the City and County of San Francisco a sanctuary for medical cannabis use, cultivation, and distribution, and urging the District Attorney for the City and County of San Francisco, the San Francisco Police Department, the San Francisco Sheriff's Department, the Attorney General for the State of California, and the California Department of Consumer Affairs - Medical Board of California not to assist in the harassment, arrest or prosecution of physicians, medical cannabis dispensaries, individual patients, or their primary caregivers attempting to comply with section 11362.5 of the California Health and Safety Code.

Resolution No. 955-01

ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Hall

Recommendation of the Rules Committee

011847 [Prohibiting former members of Board of Supervisors from lobbying]
Supervisors Peskin, Ammiano, Gonzalez, Newsom, Daly

Ordinance amending San Francisco Campaign and Governmental Conduct Code by adding Section 3.545 to prohibit former members of the Board of Supervisors from lobbying any governmental body, officer, employee, appointee or representative of the City and County for two years after leaving office.

12/3/01 - Supervisor Peskin, seconded by Supervisor Daly moved an Amendment of the Whole bearing same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

SPECIAL ORDER 3:00 P.M.

011894 **[Public Hearing - Appeal, Conditional Use, 1101 O'Farrell]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16234 adopted September 13, 2001, approving a conditional use authorization (Case No. 2000.961C) through a Planned Unit Development allowing for the demolition of an existing three-story building and the construction of a new twenty three-story, 240-foot tall, approximately 308,395 square-foot, 240-unit Senior Housing Facility; and the conversion of the second floor at 1001 Franklin Street from residential space to social services/support office spaces per Sections 303 and 304 of the Planning Code for the property on Assessor's Block 713, Lot 33; and Assessor's Block 720, Lots 35 and 36 in an RM-4 (Residential, Mixed, High Density) Zoning District with an 240-G Height and Bulk District at 1101 O'Farrell Street, southwest corner of O'Farrell (a.k.a. Starr King Way) and Franklin Streets, in an area known as St. Mark's Square.

(Appeal filed October 15, 2001; Final Negative Declaration adopted and issued on September 13, 2001. companion measure to Files 011895, 011896, 011897; District District 6.)

Public Hearing:

Lawrence Purlman, supports appeal;
Lois Brymas, supports appeal;
female speaker, supports appeal;
Wallace Cullen, AIA, supports appeal;
John Rutherford, supports appeal;
Gregory Meyer, supports appeal;
Maryanne Mullen, supports appeal;
Charlie Marshatter, supports appeal;
John Klauson, supports project;
Jim Wullmer, supports project;
Kate White, supports project;
Joy Gordon, supports project;
Herb Lemke, supports project;
Doug Engman, supports project;
Bob Planthold, supports project;
Mike Bloom, supports project;
Susan Mumm, supports project;
female speaker, supports project;
Dave Cangetto, supports project;
Ron Miguel, supports project;
Jim Chappel, SPUR, supports project;
Andrew Rossi, supports project.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

011895 **[Appeal, Conditional Use, 1101 O'Farrell]**

Motion approving decision of the Planning Commission by its Motion No. 1634 approving Conditional Use Application No. 2000.961C, on property located at 1101 O'Farrell Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

12/3/01 - Supervisor Leno, seconded by Supervisor Newsom moved to table.

TABLED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011896 **[Appeal, Conditional Use, 1101 O'Farrell]**

Motion disapproving decision of the Planning Commission by its Motion No. 1634 approving Conditional Use Application No. 2000.961C, on property located at 1101 O'Farrell Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

12/3/01 - Supervisor McGoldrick, seconded by Supervisor Leno moved an Amendment of the Whole bearing new title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion disapproving decision of the Planning Commission by its Motion No. 1634 approving Conditional Use Application No. 2000.961C, on property located at 1101 O'Farrell Street, approving Conditional Use Application No. 2000.961C for property located at 1101 O'Farrell Street, subject to the conditions imposed by the Planning Commission in its Motion No. 16234 as modified herein, and further subject to additional considtions imposed by the Board of Supervisors as set forth herein, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Motion No. M01-168

APPROVED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

011897 **[Findings - 1101 O'Farrell Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2000.961C, on property located at 1101 O'Farrell Street, for action by the Board at its next meeting. (Clerk of the Board)

Motion No. M01-169

APPROVED by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Daly
Absent: 1 - Yee

SPECIAL ORDER 3:00 P.M.

011995 **[Public Hearing - Appeal, 692-696 De Haro Street Tentative Subdivision Map]**
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 23, 2001, affirming approval of a Tentative/Parcel Map to legalize the proposed subdivision of Lot 26 in Assessor's Block 4031 into a three lot subdivision at 692-696 De Haro Street.

(Filed on November 2, 2001; companion measure to Files 011995, 011996, 011997, 011998, District 10.)

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr Carlton B Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

011996 **[292-696 De Haro Street Tentative Subdivision Map]**
Motion approving decision of the Director of Public Works, approving a Tentative Subdivision Map to legalize the proposed subdivision creating three lots in Assessor's Block 4031, Lot 26, at 692-696 De Haro Street. (Clerk of the Board)

Supervisor Maxwell, seconded by Supervisor Leno moved to table.

TABLED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011997 **[692-696 De Haro Street Tentative Subdivision Map]**
Motion disapproving decision of the Director of Public Works, approving a Tentative Subdivision Map to legalize the proposed subdivision creating three lots in Assessor's Block 4031, Lot 26, at 692-696 De Haro Street. (Clerk of the Board)

Supervisor Maxwell, seconded by Supervisor Leno moved to table.

TABLED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011998 **[Findings]**
Motion directing the Clerk of the Board to prepare findings relating to a Tentative Subdivision Map to legalize the proposed subdivision creating three lots in Assessor's Block 4031, Lot 26, at 692-696 De Haro Street, for consideration by the Board at its next meeting. (Clerk of the Board)

Supervisor Maxwell, seconded by Supervisor Leno moved to table.

TABLED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

SPECIAL ORDER 4:00 P.M.

012033 **[First Annual Youth Recognition Day]**
First Annual Youth Recognition Day Presentation. (Clerk of the Board)

(Pursuant to Motion No. MO1-107 approved by the Board of Supervisors on April 13, 2001.)

Supervisor Daly spoke regarding rewarding work of the youth of San Francisco and acknowledged former Board of Supervisor member Angela Alioto.

The following youth were recognized for the year 2001:
Deborah Gallegos (Supervisor Gerardo Sandoval)
Rolan Guevarra (Supervisor Chris Daly)
Marquez Helton (Supervisor Sophie Maxwell)
Andrea Leung (Supervisor Gavin Newsom)
Rogelio Kenny Marenco (Supervisor Tom Ammiano)
Lane Mitchell (Supervisor Tony Hall)
Sima Patel (Supervisor Jake McGoldrick)
Maria Pazmino (Supervisor Leland Yee)
Lacey Prowell (Supervisor Mark Leno)
Kristy Shimosaka (Supervisor Matt Gonzalez)
Beverly Yip (Supervisor Aaron Peskin)
FILED.

COMMITTEE REPORTS

011965 **[Limousine Parking Fines]**
Supervisor Sandoval

Resolution establishing parking fines for limousine parking.

Resolution No. 954-01
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdalla Megahed, homelessness;
Chris Disgerstang, EIR deYoung Museum;
Joe Fusco, deYoung Museum;
Dede Wortman, SF Beautiful, billboards;
David Miles, California Rollerskate Assn., skate to Los Angeles;
James Chaffe, SF Public Library;
Hemi Kanter, King Carlos statue in SF;
Charlie Peters, MTBE Gasoline;
Lynn Chillmet, MTBE Gasoline
Sala Hallsilon, working with youth;
David Probers, elections in SF;
John Jenkel, attack of September 11, 2001.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

012113 **[Legislative Analyst Request]**
Supervisor Hall

Motion asking the Legislative Analyst to prepare a report comparing the best practices in social services tied to the enforcement of "civility laws" in Seattle to the best practices in social services tied to the enforcement of quality of life crimes in San Francisco.

APPROVED by the following vote:
Ayes: 7 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom
Absent: 4 - Leno, Peskin, Sandoval, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 49 through 65

012093 **[United Nations Plaza]**
Supervisor Daly

Resolution approving a revocable permit for a collectible/antique market at United Nations Plaza.

Resolution No. 956-01
ADOPTED

012095 **[Small Business Commission Violent Crime Information Reward Fund]**
Supervisor Hall

Resolution urging the Small Business Commission to coordinate with small businesses throughout the City to create a Violent Crime Information Reward Fund.

Resolution No. 957-01
ADOPTED

012096 **[San Francisco SAFE Day]**
Supervisors Sandoval, Daly

Resolution proclaiming December 5, 2001 "San Francisco SAFE Day" in the City and County of San Francisco in honor of the 25th anniversary of San Francisco SAFE.

Resolution No. 958-01
ADOPTED

012097 **[Commend - Feral Cat Day]**
Supervisor Daly

Resolution commending the good works of the San Francisco Society for the Prevention of Cruelty to Animals (SF SPCA) and proclaiming October 16, 2001 Feral Cat Day in San Francisco.

Resolution No. 959-01
ADOPTED

012098 **[Commend - Tooth Mobile]**
Supervisors Leno, McGoldrick, Maxwell, Newsom

Resolution commending Tooth Mobile for making dental care affordable and accessible to uninsured children.

Resolution No. 960-01
ADOPTED

012099 **[Commend - San Francisco SAFE, Inc.]**
Supervisors Leno, Maxwell, McGoldrick, Daly

Resolution commending San Francisco SAFE, Inc. for their twenty-five years of crime prevention in San Francisco.

Resolution No. 961-01
ADOPTED

012100 **[Commend - SF Black Lesbian, Gay, Bisexual and Transgender Film Festival]**
Supervisors Leno, Maxwell, McGoldrick, Daly

Resolution commending the San Francisco Black Lesbian, Gay, Bisexual and Transgender Film Festival.

Resolution No. 962-01
ADOPTED

012101 **[Commend - Fran Martin]**
Supervisors Maxwell, Leno, Ammiano, Peskin

Resolution commending Fran Martin for her dedication and exemplary service to the community and proclaiming December 8, 2001 as Fran Martin Day in San Francisco.

Resolution No. 963-01
ADOPTED

012102 **[Commend - Mark Owens]**
Supervisor Newsom

Resolution commending Dean Mark Owens for forty years of service to San Francisco Law School.

Resolution No. 964-01
ADOPTED

012103 **[Proclamation - Daniel Fianne Day]**
Supervisors Sandoval, Peskin

Resolution proclaiming December 3rd as "Daniel Finanne Day" in recognition of his efforts to restore the "Fountain of the Tortoises" as part of San Francisco's annual holiday tree-lighting ceremony in Huntington Park.

Resolution No. 965-01
ADOPTED

012104 **[Commend - Balboa High School]**
Supervisors Sandoval, Hall

Resolution commending Balboa High School's achievement in the Environment Fact Bowl at the Sustainability Fair.

Resolution No. 966-01
ADOPTED

012105 **[Commend - Deborah Gallegos]**
Supervisors Sandoval, Daly

Resolution commending Deborah Gallegos for her outstanding work in recreating the mural, "Waiting for the 52", at the corner of Excelsior and Mission Streets.

Resolution No. 967-01
ADOPTED

012114 **[Commend - Jeanne W. Halpern, Eileen O'Hara, and R. C. Vankooy]**
Supervisor Hall

Resolution commending Jeanne W. Halpern, Eileen O'Hara, and R. C. Vankooy whose short stories appear in Paul Auster's "I Thought My Father Was God."

Resolution No. 968-01
ADOPTED

012081 **[Final Map for a 201 Unit Residential / Commercial Condominium Project]**
Motion approving Final Map of Yerba Buena Lofts (855 Folsom Street), A Residential / Commercial Condominium Project, being a subdivision of Lot 155, Assessor's Block No. 3752, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,260; District 6.)

Motion No. M01-170
APPROVED

012089 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M01-171
APPROVED

012115 **[Final Map for a 5 Unit Mixed / Use Condominium Project]**
Motion approving Final Map of 563 Minna Street, a Mixed / Use Condominium Project, being a subdivision of Lot 90, Assessor's Block No. 3726, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,209; District 6.)

Motion No. M01-172
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 7 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom
Absent: 4 - Leno, Peskin, Sandoval, Yee

Severed from Adoption Without Committee Reference

012094 **[Palace of Fine Arts]**
Supervisors Hall, Peskin

Resolution expressing the intention of the Board of Supervisors that the theatre at the Palace of Fine Arts remain a facility for the use of artists groups, community groups, non-profit organizations, and neighborhood activities.

Supervisor Newsom requested this item be severed so it could be considered separately.
REFERRED to the Economic Vitality, Small Business and Social Policy Committee.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

012127 **[Prohibition of New Live/Work Units]**
Supervisor Ammiano

Ordinance amending the San Francisco Planning Code by amending the definition of "Live/Work Unit" in Section 101.13 to clarify that the residential use and the integrated work space must be in the same unit, and by amending Section 233 to prohibit new Live/Work Units except for accessory uses authorized by Section 204.4.

12/3/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 1/2/2002. 12/10/01 - Transmitted to Planning Commission for public hearing and recommendation

012128 **[Development Projects With Dwelling Units in SLR - Service/Light Industrial/Residential Mixed Use Districts]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Section 816 to provide that development projects in the Service/Light Industrial/Residential (SLR) Mixed Use Districts that contain dwelling units 10 percent or more of which are affordable are not subject to Planning Commission policies and procedures that discourage housing in the Industrial Protection Zones and by deleting references to live/work uses; adopting findings.
12/3/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 1/2/2002. 12/10/01 - Transmitted to Planning Commission for public hearing and recommendation.

012129 **[Deletion of San Francisco Elections Code Section 586]**
Supervisors Gonzalez, Hall

Ordinance amending the San Francisco Elections Code by deleting Section 586, which requires the publication of a statement in the voter information pamphlet disclosing the name of each Supervisor who voted for and against submission of an argument by the Board of Supervisors for publication in the voter information pamphlet.
12/3/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/2/2002.

012130 **[Regulation of Mass Mailings]**
Supervisor Leno

Ordinance amending Article I, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code by amending section 1.161 to require candidates who pay for mass mailings to file, within five working days after the date of the mailing, an itemized disclosure statement with the San Francisco Ethics Commission.
12/3/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/2/2002.

012131 **[Ramped Taxi]**
Supervisor Maxwell

Ordinance amending Section 1148.1 of the Police Code to reduce, from five to three years, the time after receipt of a ramped taxi permit that the permittee is precluded from accepting a different motor vehicle for hire permit; and requiring six months' notice of the permittee's intent to leave the ramped taxi program.
12/3/01, ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Parks Committee, expires on 1/2/2002.

012132 **[Garcia and Maggini Warehouse as a Landmark]**
Supervisor Maxwell

Ordinance designating 128 King Street, the Garcia and Maggini Warehouse, as Landmark No. 229 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code.
12/3/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

012133 [Pedestrian Safety Advisory Committee]
Supervisors McGoldrick, Ammiano, Leno, Maxwell, Peskin, Sandoval, Yee, Daly

Ordinance adding Article XXIV Sections 5.250 and 5.251 of the San Francisco Administrative Code establishing a Pedestrian Safety Advisory Committee.
12/3/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/2/2002

012134 [Department of Homeless Services]
Supervisor Newsom

An ordinance amending the San Francisco Administrative Code by adding Chapter 92, encompassing Sections 92.1 through 92.11, to create a Department of Homeless Services under the Mayor responsible for establishing a Homeless Services Advisory Board; regularly convening an Interagency Coordinating Council; developing a Five Year Plan and Quarterly Reporting protocol; implementing a City-run Centralized Case Management Information System and Case Management Services; detailing shelter standards and developing a compliance inspection system; establishing standards for the award and administration of contracts, including incentive clauses with outside entities for the delivery of homeless services; and operating a Long-term Housing Resource Clearinghouse.
12/3/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/2/2002.

Resolutions

012135 [San Jose Avenue Bike Lane and Dolores Street Bike Lanes]
Supervisor Leno

Resolution establishing a striped bicycle lane on San Jose Avenue northbound from Milton Street to Randall Street; on San Jose Avenue southbound from Randall Street to the Arlington Street exit; on the Arlington Street off-ramp between San Jose Avenue and Arlington Street; and on Dolores Street southbound from 29th Street to San Jose Avenue, and establishing a Left Lane Must Turn Left regulation on Dolores Street, southbound, at 29th Street.
12/3/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

012136 [IBM Graffiti Settlement]
Supervisors Newsom, Peskin, Daly

Resolution approving settlement of San Francisco's potential claims for fines, penalties and damages against IBM, Ogilvy & Mather and Mindshare arising out of their participation in the stenciling of advertisements on City sidewalks. Under the settlement, the companies shall: (1) pay $19,685.93 to San Francisco to reimburse the City for its out-of-pocket costs arising out of the incident; (2) make a $100,000.00 payment to the San Francisco Clean City Program; (3) clean and remove any stenciled images found to be remaining on City property; and (4) refrain from participating in similar acts in the future. In exchange, San Francisco shall release the companies from potential claims arising out of the stencils and rescind a previous resolution relating to this subject.
12/3/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

012137 **[General Advertising Signs - Moratorium]**
Supervisor Peskin

Resolution imposing interim zoning controls to prohibit new general advertising signs, as defined in Planning Code Section 602.7, from being erected or placed on any property in the City and County of San Francisco for a twelve-month period, and making findings of consistency with the priority policies of Planning Code Section 101.1.

12/3/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee. 12/10/01 - Transmitted to Director of Planning for environmental review.

012138 **[General Advertising Sign Interim Order]**
Supervisor Peskin

Resolution imposing an order prohibiting action on applications for permits for general advertising signs, as defined in San Francisco Planning Code Section 602.7, in the City and County of San Francisco, while the Board of Supervisors considers adoption of interim zoning controls governing such general advertising signs; and making a finding of consistency with the priority policies of Planning Code Section 101.1.

12/3/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee. 12/10/01 - Transmitted to Director of Planning for environmental review.

012139 **[Appointment - Chantel L. Walker]**
Mayor

Resolution confirming the appointment of Chantel L. Walker to the San Francisco Redevelopment Agency, vice Michael Settles, for the remainder of a four-year term ending September 2, 2003. (Mayor)

12/3/01, RECEIVED AND ASSIGNED to Rules Committee.

012140 **[Grant - Juvenile Accountability Block Program]**
Mayor

Resolution authorizing the Mayor's Criminal Justice Council to retroactively accept and expend a grant in the amount of $592,198 from the Office of Criminal Justice Planning (OCJP) for the purpose of implementing local juvenile justice accountability measures through the Juvenile Accountability Incentive Block Grant Program (JAIBG). (Mayor)

12/3/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

012141 **[Federal Grant - MCJC]**
Mayor

Resolution authorizing the Mayor's Criminal Justice Council to retroactively accept and expend a grant in the amount of $100,000 from the Office of Justice Programs (OJP) Violence Against Women Office (VAWO) for the purpose of encouraging policies that treat domestic violence and sexual assault as serious violations of criminal law. (Mayor)

12/3/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

012142 **[Federal Grant - Department of Public Works]**
Supervisor Ammiano

Resolution authorizing the Director of the Department of Public Works to accept retroactively and expend up to $15,983 in federal Emergency Relief funds with required local matching funds of $2,071 for reconstruction of the hillside at San Jose Avenue from Richland Avenue to Highland Avenue in the City and County of San Francisco.
12/3/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012143 **[Hanging Noose]**
Supervisor Daly

Resolution condemning recent hanging noose incidents in San Francisco and elsewhere, supporting the efforts of local labor unions to raise awareness of hate crimes and urging the San Francisco Police Department and District Attorney to adopt a zero-tolerance policy toward hate and terror based crimes.
12/3/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012144 **[Recount of Votes Cast at November 7, 2000 San Francisco Election]**
Supervisor Gonzalez

Resolution urging the District Attorney to petition the Superior Court under California Elections Code Section 15640 for an order directing a public recount of the votes cast at the November 7, 2000 San Francisco Municipal election.
12/3/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012145 **[Recount of Votes Cast at November 6, 2001 San Francisco Election]**
Supervisor Gonzalez

Resolution urging the District Attorney to petition the Superior Court under California Elections Code Section 15640 for an order directing a public recount of the votes cast at the November 6, 2001 San Francisco Municipal election.
12/3/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012146 **[GGNRA to Delay Leash Enforcement]**
Supervisors Leno, Newsom, Daly, Yee, Hall, Gonzalez, Maxwell, Sandoval, McGoldrick

Resolution requesting the National Park Service to delay enforcing, in the San Francisco parks situated in the GGNRA, 36 C.F.R. 2.15, requiring pets to be on leash in national parks, until the ANPR process has been completed.
12/3/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012147 [Law Library]
Supervisor Leno

Resolution increasing civil filing and appearance fees provided in Business and Professions Code Sections 6321, 6322 and 6322.1 for operation of the Law Library.
12/3/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012148 **[Grant - Recreation and Park Department]**
Supervisors Maxwell, Leno

Resolution authorizing the Recreation and Park Department to accept and expend a grant in the total amount of $500,000 from the National Park Service under the Fiscal Year 2001 Urban Parks and Recreation Recovery Program for the renovation of the play area at Joseph Lee Recreation Center.
12/3/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012149 [Airport Security Act]
Supervisors Sandoval, Newsom, Daly, Gonzalez, Peskin, Ammiano, McGoldrick, Leno, Yee, Hall, Maxwell

Resolution urging the San Francisco and California Congressional delegation to amend, S. 1447, the Airport Security Act to allow security workers to retain their jobs regardless of citizenship status and urging San Francisco International Airport to apply to be one of the five airports that will remain privatized.
12/3/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012150 **[Commend - Anti-Defamation League]**
Supervisor Leno

Resolution commending the Anti-Defamation League for its recent plan to advocate for same-sex domestic partners' rights.
12/3/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012151 **[Commend - Claire Pilcher]**
Supervisors Leno, Peskin

Resolution commending Claire Pilcher, founder of the Friends of Noe Valley.
12/3/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012152 **[Commend - Mrs. Ora Tyiska-Smith]**
Supervisor Maxwell

Resolution celebrating Mrs. Ora Tyiska-Smith's 85th birthday and commending her for her exemplary service and dedication to the Christian community.
12/3/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012153 **[Commend - Arlevia Marie Rogers]**
Supervisor Maxwell

Resolution commending and celebrating the life of Arlevia Marie Rogers for her lifelong commitment to protect, educate and inspire children everywhere.

12/3/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012154 **[Commend - S.F. Airport Commission]**
Supervisor Newsom

Resolution commending the San Francisco Airport Commission for their work by recommending the enactment of an ordinance that will allow a partial pass-through of the taxi trip fee to taxi passengers.

12/3/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

012123 **[Recanvassing of November and December 2000 Elections]**
Supervisor Leno

Hearing to consider the possible recanvassing of the November 2000 and December 2000 elections by the Department of Elections.

12/3/01, RECEIVED AND ASSIGNED to Finance Committee. Sponsor requests this item be scheduled for the December 5, 2001, meeting.

010506 **[Supplemental Appropriation]**
Supervisor Peskin

Hearing regarding upcoming supplemental appropriations comprised of a report by the City Controller on supplemental budgetary items, reprogramming of funds within Departments, and other previously unforeseen fiscal actions by City Departments that will be brought before the Finance Committee.

3/19/01, RECEIVED AND ASSIGNED to Finance Committee.

11/26/01, FILED PURSUANT TO RULE 5.38.

12/3/01, REACTIVATED PURSUANT TO RULE 5.24. Supervisor Peskin requested this matter be reactivated, allowing the Controller and Mayor's Budget Office to report on the fiscal health of City departments in the current 2001-02 fiscal year.

12/3/01, ASSIGNED to Finance Committee.

012155 **[Stonestown Mall Expansion]**
Supervisors Ammiano, Hall

Hearing on Scoping for the Environmental Impact Report for the Stonestown Mall Expansion.

12/3/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee

012156 [Establishing Homeless Services Department]
Supervisor Ammiano

Hearing on establishing a Department of Homeless Services.
12/3/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

012157 [Watershed Management Plan]
Supervisor Daly

Hearing to consider the development of a watershed management plan and ordinance to protect our watershed from pollution and contamination.
12/3/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

012158 [Storm Water Management]
Supervisor Daly

Hearing to consider storm water research in the City and County of San Francisco.
12/3/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

012159 [San Francisco Water Alliance]
Supervisor Leno

Hearing to consider the progress of the San Francisco Public Utilities Commission's contract revisions with the San Francisco Water Alliance.
12/3/01, RECEIVED AND ASSIGNED to Finance Committee. Supervisor Leno requests that this item be referred to the Finance Committee.

012160 [First Resource Hiring Program]
Supervisor Maxwell

Hearing on the City's First Resource Hiring Program. The hearing will focus on: (1) implementation of the program's Phase I and Phase II requirements, specifically on quantifying the program's ability to secure entry-level positions for qualified economically disadvantaged individuals; and (2) coordination between the Planning and Building Inspections Departments and the First Source Program to ensure that all qualifying projects are appropriately referred to the program.
12/3/01, RECEIVED AND ASSIGNED to Finance Committee.

012161 [City Resource Center]
Supervisor Newsom

Hearing to explore the prospect of extending the operational hours of the City's Resource Centers beyond the current operation hours so that those persons(s) seeking out assistance are not turned away from receiving referrals and/or services.
12/3/01, RECEIVED AND ASSIGNED to Finance Committee.

012163 **[Centralized Referral System of Homeless Shelters]**
Supervisor Newsom

Hearing to discern the feasibility of extending the City's centralized referral system of homeless shelter and services beyond the current operating hours of 6:00 PM and 12:00 AM.
12/3/01, RECEIVED AND ASSIGNED to Finance Committee.

012164 **[Mobile Assistance Patrol]**
Supervisor Newsom

Hearing to examine the procedures and protocols of the Mobile Assistance Patrol (MAP) dispatch along with the prospect of expanding the level of contracted services for outreach in order to increase capacity between the hours of midnight and 8:00 AM.
12/3/01, RECEIVED AND ASSIGNED to Finance Committee.

012165 **[Health Care Symposium]**
Supervisor Sandoval

Hearing to address a symposium on healthcare in San Francisco.
12/3/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

012166 **[Naming of 3COM Park]**
Supervisor Yee

Hearing to discuss the possible change to the naming of 3COM Park.
12/3/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

Motions

012167 **[Uniform Residential Hotel Visitors Policy]**
Supervisor Daly

Motion approving the Uniform Residential Hotel Visitors Policy pursuant to Section 41D.3(b) of the San Francisco Administrative Code.
12/3/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

012168 **[Ballot Argument - Noncitizens on City Boards, Commissions, and Advisory Bodies.]**
Supervisor Gonzalez

Motion authorizing proponent's ballot argument in favor of Proposition _____, a Charter Amendment regarding Noncitizens on City Boards, Commissions, and Advisory Bodies.
12/3/01, RECEIVED AND ASSIGNED to Rules Committee.

012169 **[Rebuttal Ballot Argument - Noncitizens on City Boards, Commissions, and Advisory Bodies]**
Supervisor Gonzalez

Motion authorizing proponent's rebuttal ballot argument in favor of Proposition _____, a Charter Amendment regarding Noncitizens on City Boards, Commissions, and Advisory Bodies.
12/3/01, RECEIVED AND ASSIGNED to Rules Committee.

012170 **[Ballot Argument - Elective Officials]**
Supervisor Gonzalez

Motion authorizing proponent's ballot argument in favor of Proposition _____, a Charter Amendment regarding Elective Officials.
12/3/01, RECEIVED AND ASSIGNED to Rules Committee.

012171 **[Rebuttal Ballot Argument - Elective Officials]**
Supervisor Gonzalez

Motion authorizing proponent's rebuttal argument in favor of Proposition _____, a Charter Amendment regarding Elective Officials.
12/3/01, RECEIVED AND ASSIGNED to Rules Committee.

012172 **[Ballot Argument - Domestic Partners Benefits]**
Supervisor Leno

Motion authorizing proponent's argument in favor of Proposition _____, a Charter Amendment regarding Domestic Partner Benefits.
12/3/01, RECEIVED AND ASSIGNED to Rules Committee.

012173 **[Rebuttal Ballot Argument - Domestic Partners Benefits]**
Supervisor Leno

Motion authorizing proponent's rebuttal argument in favor of Proposition _____, a Charter Amendment regarding Domestic Partner Benefits.
12/3/01, RECEIVED AND ASSIGNED to Rules Committee.

012174 **[Ballot Argument - Planning Commission and Board of Appeals]**
Supervisor McGoldrick

Motion authorizing proponent's ballot argument in favor of Proposition _____, a Charter Amendment regarding Appointments to the Planning Commission and the Board of Appeals.
12/3/01, RECEIVED AND ASSIGNED to Rules Committee.

012175 **[Rebuttal Ballot Argument - Planning Commission and Board of Appeals]**
Supervisor McGoldrick

Motion authorizing proponent's rebuttal ballot argument in favor of Proposition _____, a Charter Amendment regarding Appointments to the Planning Commission and the Board of Appeals.
12/3/01, RECEIVED AND ASSIGNED to Rules Committee.

012176 **[Ballot Argument - Cost of Living Benefits for Retirees]**
Supervisor McGoldrick

Motion authorizing proponent's ballot argument in favor of Proposition _____, a Charter Amendment regarding Cost of Living Benefits for Retirees.

12/3/01, RECEIVED AND ASSIGNED to Rules Committee.

012177 **[Rebuttal Ballot Argument - Cost of Living Benefits for Retirees]**
Supervisor McGoldrick

Motion authorizing proponent's rebuttal ballot argument in favor of Proposition _____, a Charter Amendment regarding Cost of Living Benefits for Retirees.

12/3/01, RECEIVED AND ASSIGNED to Rules Committee.

012178 **[Legislative Analyst Request]**
Supervisor Newsom

Motion asking the Legislative Analyst to prepare a report comparing the best practices and/or models, otherwise known a Intermediary Care Facilities, used in other major cities in the treatment of public inebriates, including but not limited to the cities of Portland, Oregon; Seattle, Washington; and Denver, Colorado.

12/3/01, ASSIGNED to Board of Supervisors. Scheduled for consideration December 10, 2001.

012179 **[Legislative Analyst Request]**
Supervisor Newsom

Motion asking the Legislative Analyst to prepare a report comparing the best practices and/or models, on Cash Assistance Programs utilized in Alameda County and surrounding Bay Area counties.

12/3/01, ASSIGNED to Board of Supervisors. Scheduled for consideration December 10, 2001

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

012029 **[Changing Official Width of Sidewalk - Portions of Howard and Minna Streets]**
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1553 to change the official sidewalk width on portions of Howard and Minna Streets between 4th and 5th Streets; making findings pursuant to City Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes. (Public Works Department)

11/14/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

012030 **[Changing Official Width of Sidewalk - California Street between Montgomery Street]**
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1554 to change the official sidewalk width on the north side of California Street between Montgomery Street and 137' westerly; making findings pursuant to City Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes. (Public Works Department)
11/14/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

012031 **[Parking Regulations on Portion of Green Street]**
Ordinance adding Section 32.6.30 to the San Francisco Traffic Code, regarding parking regulations on a portion of Green Street. (Parking and Traffic Department)
11/15/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

012034 **[Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Peter Roybal against the City and County of San Francisco for $120,000, with Roybal agreeing to be barred from future City employment; the lawsuit was filed on February 9, 2000, in Superior Court, State of California, Case No. 309-821; entitled Roybal v. City and County of San Francisco, et al. (City Attorney)
11/21/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

012079 **[Settlement of Lawsuit]**
Ordinance approving settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against CalStar Retail, Inc., by payment by CalStar Retail Inc. to the City in the amount of $350,000 and other terms; the lawsuit was filed on August 7, 2001, in San Mateo County Superior Court, Case No. 417869, entitled City and County of San Francisco, acting by and through its Airport Commission v. CalStar Retail, Inc. (City Attorney)

(Supervisor Peskin dissenting in Committee)
11/27/01, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be scheduled for consideration at the December 5, 2001 meeting.

012080 **[Zoning Map Change]**
Ordinance amending the Zoning Map of the City and County of San Francisco for properties generally described as Assessor's Block 713, Lot 33, and Assessor's Block 720, Lots 35 and 36, located on the southwestern portion of the block bounded by O'Farrell (a.k.a. Starr King Way), and Franklin Streets, to change the Height and Bulk District Classification from 240-E and 80-B to 240-B Height and Bulk District and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

(Planning Comission Resolution No. 16233 adopted September 13, 2001, Case No. 2000.961Z; Final Negative Declaration adopted and issued on September 13, 2001.)
(Supervisor Daly dissenting in Committee.)
11/28/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

PROPOSED RESOLUTIONS

011952 **[Grant - Criminal Restitution Program]**

Resolution retroactively authorizing the Office of the District Attorney to contract for, accept and expend $128,567 allocated from the California State Board of Control Victims of Crime and Restitution Program for a project entitled "Criminal Restitution Compact" for the period of July 1, 2001 through June 30, 2002. (District Attorney)

11/15/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee

012074 **[Grant for substance abuse treatment to assist HIV infected urban poor to adhere to antiretroviral medications]**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively second year grant funds in the amount of $492,317 from the Center for Substance Abuse Treatment (CSAT) for Action Point-II HIV Treatment Capacity Expansion and to enter into an agreement for the use of these funds; for the period of October 1, 2001, through September 30, 2002. (Public Health Department)

11/20/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

12/3/01, WITHDRAWN AND FILED. Withdrawn at the request of Marc Trotz, Department of Public Health - Housing and Urban Health.

012075 **[Parking Regulations, Various Locations]**

Resolution enacting and rescinding parking regulations at various locations.

DIAGONAL (60-DEGREE ANGLE) PARKING - ESTABLISH
Naples Street, east side, from Rolph Street to 150 feet northerly (150-foot zone)

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Kingston Street, both sides, between Coleridge Street and Prospect Avenue (200 block)

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Shrader Street, both sides, between 17th and Rivoli Streets (1400 block)

RESIDENTIAL PERMIT PARKING AREA "R" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Laguna Street, west side, between Eddy and Willow Streets (1200 block)

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Carson Street, both sides, between Douglass Street and west terminus (unit block)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Bayshore Boulevard, east side, from Sunnydale Avenue to 144 feet southerly (144-foot zone, to the San Francisco / San Mateo county line)
San Bruno Avenue, east side, from Silver Avenue to 95 feet northerly (95-foot zone)

UNMETERED MOTORCYCLE PARKING - ESTABLISH
24th Street, south side, from 258 feet to 267.5 feet west of Castro Street (9.5-foot zone, accommodating 2 motorcycle spaces)
4th Avenue, east side, from 278 feet to 286.5 feet south of Cornwall Street (8.5-foot zone, accommodating 2 motorcycle spaces) (Parking and Traffic Department)

(DPT Order No. 2344.)

11/20/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

012076 [Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Bayshore Boulevard, both sides, between Leland and Visitacion Avenues
Bayshore Boulevard, east side, between northbound and southbound Tunnel Avenue (34-foot zone, along traffic island)
Bayshore Boulevard, east side, from Leland Avenue to 96 feet northerly (96-foot zone)
Bayshore Boulevard, east side, from North Hester Avenue to 290 feet southerly (290-foot zone)
Bayshore Boulevard, east side, from Sunnydale Avenue to 308 feet northerly (308-foot zone)
Bayshore Boulevard, east side, opposite Leland Avenue (across from the stem of this T-intersection)
Bayshore Boulevard, west side, from San Bruno Avenue to 280 feet northerly (280-foot zone)
Bayshore Boulevard, west side, from Sunnydale Avenue to 418 feet northerly (418-foot zone)
Bayshore Boulevard, west side, from Tunnel Avenue to 550 feet northerly (550-foot zone, including portion directly opposite Tunnel Avenue)
Sunnydale Avenue, south side, from Bayshore Boulevard to 55 feet westerly (55-foot zone)

NO LEFT TURN - ESTABLISH
Bayshore Boulevard, both directions, at Raymond Avenue
Bayshore Boulevard, northbound, at Visitacion Avenue
Bayshore Boulevard, southbound, at Blanken Avenue
Bayshore Boulevard, southbound, at Leland Avenue

NO RIGHT TURN ON RED - ESTABLISH
Bayshore Boulevard, southbound, at San Bruno / Arleta Way
North Hester Avenue, westbound, at Bayshore Boulevard

NO RIGHT TURN - ESTABLISH
Bayshore Boulevard, southbound, onto Arleta Way

BICYCLE LANES - ESTABLISH
3rd Street, northbound, from the Highway 101 overcrossing to Le Conte Avenue
Bayshore Boulevard, northbound, between Sunnydale and Visitacion Avenues
Bayshore Boulevard, northbound, from Blanken Avenue to the Highway 101 overcrossing
Bayshore Boulevard, northbound, from a point 80 feet north of Visitacion Avenue to a point 100 feet south of Blanken Avenue
Bayshore Boulevard, southbound, between Arleta Way and Leland Avenue
Bayshore Boulevard, southbound, from a point 108 feet south of Leland Avenue to Sunnydale Avenue

LEFT LANE MUST TURN LEFT - ESTABLISH
Naples Street, northbound, at Geneva Avenue

NO RIGHT TURN, 7 AM - 9 AM AND 4 PM - 6 PM - RESCIND
Fremont Street, northbound, at Market Street

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
7th Street, west side, from Market Street to 121 feet southerly (121-foot zone, to be extended)

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
7th Street, west side, from Market Street to 140 feet southerly (140-foot zone, extends existing zone and eliminates meter #14)
6th and Bluxome Streets, northwest quadrant, between the extensions of the east property line of 6th Street and the south property line of Bluxome Street (within the intersection)
Bluxome Street, south side, from 6th Street to 9 feet easterly (9-foot zone)

Brannan Street, north side, from 5th Street to 250 feet easterly (250-foot zone)
Geneva Avenue, north side, from Ocean Avenue to 70 feet easterly (70-foot zone)
Woodside Avenue, north side, from 23 feet to 57 feet west of Portola Drive (34-foot zone) (Parking and Traffic Department)

(DPT Order No. 2344.)

11/20/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

012077 **[Settlement of Claim]**

Resolution approving the settlement of the unlitigated claim filed by Alma Taylor against San Francisco for $75,000; claim was filed on 01-31-2001; additional material terms of said settlement are the signing of full and final release and dismissal of the City and County of San Francisco. (City Attorney)

11/21/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee

012078 **[Grant for Sheriff's Department program providing a public information community awareness campaign for the prevention of family violence]**

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of $34,857 from the U.S. Department of Health and Human Services for providing a public information community awareness campaign for the prevention of family violence. (Sheriff)

11/21/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee

012116 **[Approval of Amendment(s) to Design Agreement for the Laguna Honda Hospital Replacement Program]**

Resolution authorizing the Director of Public Works to execute amendment(s) to a design agreement for the Laguna Honda Hospital Replacement Program from $7,599,717 to $29,900,000. (Public Works Department)

(Fiscal impact.)

11/28/01, RECEIVED AND ASSIGNED to Finance Committee.

012117 **[Extension of Agreement for Additional 18-Month Tolling of Statute of Limitations Governing Administrative Proceeding or Suit]**

Resolution approving the City Attorney's entry into an Extension of Tolling Agreement governing administrative proceeding or suit by the United States Environmental Protection Agency and the Casmalia Resources Site Steering Committee. (City Attorney)

11/28/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee. Department requests this item be calendared at the December 11, 2001 meeting.

Requests Granted

From: Supervisor Daly
To: Director, Grants for the Arts
Requesting/Inquiring: To submit report that includes allocations for the Arts, including a complete budget that includes at least the following: staff salaries, ongoing contracts and grants, fees paid to consultants and one-time expenditures; for fiscal year 2000/2001 and 2001/2002, including the two most recent audits of Grants for the Arts.

From: Supervisor Daly
To: Director, Arts Commission
Requesting/Inquiring: To report on two audits conducted on behalf of the San Francisco Arts Commission, the McDougall Report (2001) concerning California Lawyers for the Arts and the Audit of Cultural Centers (1999-2000). Additionally, any written updates on implementation of the recommendations in both of these audits.

From: Supervisor Daly
To: Director, Redevelopment Agency
Requesting/Inquiring: Request for specific documents concerning and use of Yerba Buena Center (e.g. requirements for local programming, number of annual performances, etc.)

From: Supervisor Daly
To: Director, Port of San Francisco
To: Director, Planning Department
To: Director, Public Utilities Commission
Requesting/Inquiring: That the Directors of the Port, Planning Department, Public Utilities Commission forward to members of the Board of Supervisors any response to the attached letters of Nick Merz dated November 19 and 28, 2001. (See attached.)

From: Supervisor Daly
To: Director, Planning Department
Requesting/Inquiring: To provide an update on the property located at 16-18 Norfolk Street, including any actions taken in the last six months by Planning Department staff and/or the Planning Commission.

From: Supervisor Leno
To: City Attorney
Requesting/Inquiring: To draft legislation overturning the Department of Building Inspection's policies mandating construction of penthouses as roof fire escapes. The following is context for this inquiry:
· DBI is now requiring stair penthouse extensions in some instances as fire escapes, when the Fire Department previously approved of hatches/drop ladders. An example of this is the building on 4733 18th Street that DBI required to build a penthouse above the fourth floor of the building as a fire exit.
· Building penthouses on top of buildings in residential neighborhoods can exacerbate neighborhood frustration with development in residential areas.
· DBI staff has said that the Fire Department has approved of drop down ladders and that the policy is DBI driven, not at the request of the Fire Department.

From: Supervisor Maxwell
To: Director, Department of Elections
Requesting/Inquiring: To report on the best practices from other cities and counties' elections departments, with particular attention to those that use the Eagle voting machines.

From: Supervisor Maxwell
To: City Attorney
Requesting/Inquiring: To draft legislation to direct the implementation and expand the policies of the City's First Source Hiring Program. The legislation should include:

1. Immediate implementation of Phase II of the program
2. Immediate notification by the First Source Hiring Program and the Controller's Office of the Phase II requirements to all applicable city departments
3. A report requirement by the First Source Hiring Program to the Controller and the Board of Supervisors for each applicable contract or project to be approved by the City, as well as yearly reports on program implementation
4. A report requirement by Planning Department and the Department of Building Inspection to the First Source Hiring Program and the Board of Supervisors on all projects subject to the First Source Hiring Program requirements.

From: Supervisor Newsom
To: Director, Department of Human Services
Requesting/Inquiring: To submit information exploring incidents of declaration of homelessness as they relate to the County Adult Assistance Program (CAAP) over the last 12 to 18 months. Specifically, declarations under the Personal Assistance Employment Services, the Social Security Income Pending, the Cash Assistance Linked to Medical versus the General Assistance Program should be broken out and compared. Additionally, the policies and procedures surrounding the verification of eligibility for homeless clients in regard to CAAP should be presented.

From: Supervisor Newsom
To: Director, Department of Human Services
Requesting/Inquiring: To submit information regarding the Determination of "Presumptive Eligibility", specifically:
1. What are the current policy and procedural protocols used in determining "presumptive eligibility" for persons seeking services?
2. What is the number of persons assessed and determined as eligible under the "presumptive eligibility" on a daily, monthly and annual basis?
3. What is the current amount of cash benefits provided to persons currently determined under the status of "presumptive eligibility"?
4. What, if any, are the alternative services or benefits that may be provided in lieu of persons "cashing out" benefits?
5. What, if any, is the referral process for services or shelter for these persons who do not meet the criteria for "presumptive eligibility"?

From: Supervisor Newsom
To: Director, Department of Public Works
To: Chief, Police Department
To: Director, Department of Human Services
To: General Manager, Recreation and Park Department
Requesting/Inquiring: That the Directors of the Department of Public Works, Department of Human Services, Chief of Police and General Manager of Recreation and Park Department respond to the following questions
1. What are the current statistics of the number of pup tents that are seen and/or reported to your agency each night in San Francisco?
2. Do you track such data? How?
3. What are your current procedural response and/or protocols?
4. What proactive measures have you taken in outreach efforts to refer and/or relocate persons inhabiting said tents to homeless shelters?
5. What, if any, measures are taken in notifying person(s) pending removal of pup tents in advance of actual removal of tents?

From: Supervisor Newsom
To: Acting Executive Director, Housing Authority
Requesting/Inquiring: To report on San Francisco Housing Authority's Section 8 Program, specifically
1. What are the current administrative protocols and timelines set for the inspection of both public and private units for Section 8 voucher holders currently on a waiting list?
2. What is the current number of persons on a waiting list, pending the approval of an inspection of a housing

unit?
3. What is the current backlog, if any, of both public and private housing units to be inspected for the remainder of fiscal year 2001/2002?
4. What is the current number of housing inspectors employed to do this work?
5. What is the current referral procedure for a voucher holder, if any, should a private housing owner decide against accepting a Section 8 voucher before the unit has been inspected?

From: Supervisor Newsom
To: Director, Department of Public Health
Requesting/Inquiring: Requesting a chart illustrating drug related admissions, particularly around the 1st and 15th of the month. Additionally, information on costs associated with any peak demand care.

From: Supervisor Newsom
To: City Attorney
Requesting/Inquiring: To draft legislation that will amend the Police Code to authorize a S2.00 taxicab fare surcharge on taxi rides from the San Francisco International Airport by San Francisco taxicabs.

From: Supervisor Sandoval
To: Director, Department of Public Works
Requesting/Inquiring: Inquiring about the removal of a decrepit sign at the entrance to Brooks Park, at the corner of Ramsell and Shields Streets. (See attached pictures.)

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Marguerite M. Guy (Supervisor Ammiano)
George Harrison (Supervisor Newsom)
Wilson Bullock (Supervisor Leno)
Gloria Gonzalez (Supervisor Sandoval)
Arlevia Marie Rogers (Supervisor Maxwell)
Frank Courtney (Supervisor Hall)
Theresa O'Neill (Supervisor Hall)
Joseph Donnelly (Supervisor Hall)
Dorothy DelNegro (Supervisors Hall, Yee)
John E. (Jack) Shea (Supervisor Hall)
Julia "Sheila" Lucey (Supervisor Hall)

ADJOURNMENT

There being no further business, the Board at the hour of 6:05 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 22, 2002.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited

Gloria-L. Young
Clerk of the Board

F
90
72
/10/01
2

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.
FEB 2 6 2002
SAN FRANCISCO
PUBLIC LIBRARY

Monday, December 10, 2001 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Audit, Labor and Government Efficiency Committee Supervisors Newsom, Daly, McGoldrick	2nd & 4th Tuesday 1:00 PM
City and School District Committee Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar	Call of the Chair 3:00 PM
Economic Vitality, Small Business and Social Policy Committee Supervisors Sandoval, Newsom, Gonzalez	1st & 3rd Tuesday 10:00 AM
Finance Committee Supervisors Leno, Peskin, Maxwell	Wednesday 12:30 PM
Housing, Transportation and Land Use Committee Supervisors McGoldrick. Daly. Peskin	2nd & 4th Thursday 10:00 AM
Neighborhood Services and Parks Committee Supervisors Yee. Hall, Sandoval	1st & 3rd Tuesday 1:00 PM
Public Health and Environment Committee Supervisors Maxwell. Yee. Leno	2nd & 4th Tuesday 10:00 AM
Public Utilities and Deregulation Committee Supervisors Daly. Gonzalez. Ammiano	Call of the Chair
Rules Committee Supervisors Gonzalez. Hall, Ammiano	1st & 3rd Thursday 1:00 PM

First-named Supervisor/Commissioner is Chair. Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Volume 96 Number 47

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

Members Absent: Gavin Newsom.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:01 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Hall, Newsom - 2.

Quorum present.

Supervisor Newsom was excused. (See infra.)

Supervisor Hall was noted present at 2:03 p.m

Supervisor Newsom Excused from Attendance

Supervisor Leno, seconded by Supervisor Hall, moved to excuse Supervisor Newsom from attending this meeting. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

AGENDA CHANGES

Introduction of Guests

Supervisor Yee introduced and welcomed Tiam Zwhong, Chairman of CCPCC Liaoning, Benxi Committee from Benxi, China.

Supervisor Yee introduced Anna Konte, Jessica Eikert, Gloria Benia and Ethel Newland and thanked them for their efforts in preserving the Doggie Diner.

COMMUNICATIONS

CONSENT AGENDA

Items 1 through 8

Recommendations of the Audit, Labor and Government Efficiency Committee

011526 **[Reward Authorization]**

Ordinance authorizing payment of reward to Selina Archuletta and Raven Meadows. (Mayor)

Ordinance No. 243-01

FINALLY PASSED

011598 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Teddy Querubin against the City and County of San Francisco for $200,000.00; the lawsuit was filed on 6/30/98 in United States District Court, Northern District Case No. C98-04414 JL; entitled Teddy Querubin v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 244-01

FINALLY PASSED

Recommendation of the Economic Vitality, Small Business and Social Policy Committee

012078 **[Grant for Sheriff's Department program providing a public information community awareness campaign for the prevention of family violence]**

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of $34,857 from the U.S. Department of Health and Human Services for providing a public information community awareness campaign for the prevention of family violence. (Sheriff)

Resolution No. 979-01

ADOPTED

Recommendation of the Finance Committee

011929 **[Lease of Real Property]**

Resolution authorizing extension and amendment of a lease of real property at 1145 Market Street for the Department of Human Resources. (Real Estate Department)

(District 6.)

Resolution No. 973-01

ADOPTED

Recommendations of the Housing, Transportation and Land Use Committee

011935 **[Extending occupancy of the south side of Howard Street during construction operations at 405 Howard Street]**

Resolution granting revocable permission to Webcor Builders for a six-month extension to temporarily close and occupy a portion of the sidewalk and parking lane on the southerly side of Howard Street, between 1st and Fremont Streets, during construction operations at 405 Howard Street (Assessor's Block 3737, Lot 1). (Public Works Department)

(District 6.)

Resolution No. 974-01
ADOPTED

011954 **[STOP Intersections]**
Supervisor McGoldrick

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
9th Avenue and Balboa Street, northeast and southwest corners, stopping Balboa Street (makes this an all-way STOP) (Parking and Traffic Department)

(DPT Order No. 2336.)

Resolution No. 976-01
ADOPTED

011955 **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Clementina Street, north side, between 1st and 2nd Streets
Tehama Street, south side, between 1st and 2nd Streets

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Alabama Street, both sides, between Mariposa and 19th Streets (500 and 600 blocks)
Alabama Street, east side, between 16th and 17th Streets (300 block)
Alabama Street, west side, between 17th and Mariposa Streets (400 block)
Florida Street, both sides, between 18th and 20th Streets (600 and 700 blocks)
Florida Street, west side, between 16th and 17th Streets (300 block)

DIAGONAL (45-DEGREE ANGLE) PARKING - ESTABLISH
Florida Street, west side, from Mariposa Street to 150 feet northerly (150-foot zone, 400 block)

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
28th Street, both sides, between Guerrero and Dolores Streets (unit block)
Cesar Chavez Street, both sides, between Church and Sanchez Streets (3900 block)
Clipper Street, both sides, between Church and Sanchez Streets (100 block) (Parking and Traffic Department)

(DPT Order No. 2336.)

Resolution No. 977-01
ADOPTED

011956 [Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets.

DIAMOND LANE - ESTABLISH
Bush Street, second lane from east curb (southbound), between Battery and Market Streets

BICYCLE LANE - ESTABLISH
4th Street, southbound, between King Street and Mission Creek

NO LEFT TURN - ESTABLISH
3rd Street, both directions, at Rincon Street
3rd Street, northbound, at South Common
3rd Street, soutbound, at North Common

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
3rd Street, east side, from 320 feet to 345 feet north of 20th Street (25-foot zone)
3rd Street, west side, between Phelps and Davidson Streets
3rd Street, west side, from Arthur Avenue to 65 feet southerly (65-foot zone)

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
3rd Street, east side, from 18th Street to 25 feet northerly (25-foot zone)
3rd Street, east side, from 358 feet to 400 feet south of 20th Street (42-foot zone)
3rd Street, west side, from 109 feet to 235 feet south of 16th Street (126-foot zone)
3rd Street, west side, from 325 feet to 380 feet north of Mariposa Street (55-foot zone) (Parking and Traffic Department)

(DPT Order No. 2336.)

Resolution No. 978-01
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

012181 **[Adopting findings related to the conditional use appeal on property located at 1101 O'Farrell Street]**
Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2000.961C (which authorized the demolition of an existing three-story building and the construction of a new twenty-three story, 240 foot tall, approximately 308,395 square-foot, 240 unit Senior Housing Facility, and the conversion of the second floor at 1001 Franklin Street from residential space to social services/support office spaces per Sections 303 and 304 of the Planning Code) in an RM-4 (Residential, Mixed, High Density) Zoning District and 240-G Height and Bulk District on property located at 1101 O'Farrell, southwest corner of O'Farrell (a.k.a. Starr King Way) and Franklin Streets, in an area know as St. Mark's Square (Lot 33 in Assessor's Block 713, and Lots 35 and 36 in Assessor's Block 720). (Clerk of the Board)

12/10/01 - Supervisor McGoldrick, seconded by Supervisor Leno moved an Amendment of the Whole bearing same title.
AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Motion No. M01-178
APPROVED AS AMENDED by the following vote:
Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Noes: 1 - Daly
Absent: 1 - Newsom

Recommendation of the Housing, Transportation and Land Use Committee

011408 **[Limousines for Hire Parking Regulations]**
Supervisors Sandoval, McGoldrick, Daly, Peskin, Newsom, Leno

Ordinance adding section 63.2 to the San Francisco Traffic Code prohibiting the parking of certain vehicles for hire in residential areas.

Ordinance No. 242-01
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

Recommendation of the Neighborhood Services and Parks Committee

011755 **[Hydrofluoric Acid]**
Supervisors Peskin, Newsom, Maxwell, Hall, Leno

Ordinance amending the San Francisco Police Code by adding a new Article 42D to restrict access to products containing hydrofluoric acid in solution and assessing criminal penalties for violation of this Article.

Ordinance No. 245-01
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

Recommendation of the Rules Committee

011847 [Prohibiting former members of Board of Supervisors from lobbying]
Supervisors Peskin, Ammiano, Gonzalez, Newsom, Daly, Sandoval, Leno, McGoldrick, Hall

Ordinance amending San Francisco Campaign and Governmental Conduct Code by adding Section 3.545 to prohibit former members of the Board of Supervisors from lobbying any governmental body, officer, employee, appointee or representative of the City and County for two years after leaving office.

Supervisors Sandoval, Leno, McGoldrick and Hall requested to be added as co-sponsors

Ordinance No. 246-01

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

NEW BUSINESS

Recommendations of the Economic Vitality, Small Business and Social Policy Committee

011713 **[Liquor License, 718 14th Street]**

Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license in exchange for a Type 47 on-sale general eating place liquor license to Peter Garcia for "Zodiac Club LLC", located at 718 14th Street (District 8), will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 972-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

011937 **[Liquor License Transfer, 1425 Sansome Street]**

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license to Radovan Pesusic from 725 Folsom Street to 1425 Sansome Street (District 3), will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Resolution No. 971-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

011952 **[Grant - Criminal Restitution Program]**

Resolution retroactively authorizing the Office of the District Attorney to contract for, accept and expend $128.567 allocated from the California State Board of Control Victims of Crime and Restitution Program, for a project entitled "Criminal Restitution Compact" for the period of July 1, 2001 through June 30, 2002. (District Attorney)

Resolution No. 975-01

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

Recommendation of the Finance Committee

012079 [Settlement of Lawsuit]

Ordinance approving settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against CalStar Retail, Inc., by payment by CalStar Retail Inc. to the City in the amount of $350,000 and other terms; the lawsuit was filed on August 7, 2001, in San Mateo County Superior Court, Case No. 417869, entitled City and County of San Francisco, acting by and through its Airport Commission v. CalStar Retail, Inc. (City Attorney)

(Supervisor Peskin dissenting in Committee)

NOT Adopted by the following vote:

Ayes: 2 - Leno, Maxwell
Noes: 7 - Ammiano, Daly, Gonzalez, Hall, McGoldrick, Peskin, Sandoval
Absent: 2 - Newsom, Yee

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY

Existing Litigation - City as Plantiff

Motion that the Board of Supervisors convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney, regarding the proposed settlement listed above.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above

Supervisor Leno, seconded by Supervisor Peskin, moved. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

Recess

The Board recessed at the hour of 3:24 p.m. to convene in closed session pursuant to the above ordinance

Reconvening of the Board.

Calling the Roll

The following Supervisors were noted present: Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee - 10.

Noted absent: Supervisor Newsom - 1.

Deputy City Attorney, Ted Lakey reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9(a) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above pending litigation.

Persons in attendance:
Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Ted Lakey, Deputy City Attorney;
Mara Rosales, Deputy City Attorney;
Adrienne Go, Deputy City Attorney;
Gloria L. Young, Clerk of the Board
Gregoire Hobson, Deputy Clerk.

Recommendations of the Housing, Transportation and Land Use Committee

011050 [Tour Buses on El Camino del Mar, and portions of 25th Avenue]
Supervisor Newsom

Ordinance adding Police Code Section 1183.31 to prohibit the driving of tour buses on El Camino del Mar between the Presidio and Legion of Honor Drive, and on 25th Avenue between Lake Street and El Camino del Mar, through December 31, 2002.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

011898 **[Speed Limit - 16th Street, between 3rd and 7th Streets]**
Supervisor Daly

Ordinance adding Section 175.34 to the San Francisco Traffic Code, establishing a 30-MPH speed limit for 16th Street, between 3rd and 7th Streets. (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

011931 **[Double Parking on Municipal Railway Bus Routes Prohibit; Fines]**
Supervisors Newsom, McGoldrick, Daly

Ordinance amending Article 3, Chapter XI, Part II, Section 53(a) of the San Francisco Traffic Code removing sunset clause. (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

011932 **[Speed Limit - Clarendon Avenue]**
Supervisor Hall

Ordinance amending Section 176.18 of the San Francisco Traffic Code clarifying the boundaries for the 35-MPH speed limit along Clarendon Avenue (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

011933 **[Special Traffic Permit Violation Penalties]**
Supervisor McGoldrick

Ordinance amending San Francisco Traffic Code Section 194.3. to provide a graduated penalty schedule for violation of the Special Traffic Permit or for obstructing traffic without a Special Traffic Permit. (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Vernon Jenkins. get out the vote;
Louise Vaughn. Local 648;
John D'Nonno. clean city;
David Hall. City Hall renovation;
male speaker. San Francisco Unified School District.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

012178 **[Legislative Analyst Request]**
Supervisor Newsom

Motion asking the Legislative Analyst to prepare a report comparing the best practices and/or models, otherwise known a Intermediary Care Facilities, used in other major cities in the treatment of public inebriates, including but not limited to the cities of Portland, Oregon; Seattle, Washington; and Denver, Colorado.

Motion No. M01-177

APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

012179 **[Legislative Analyst Request]**
Supervisor Newsom

Motion asking the Legislative Analyst to prepare a report comparing the best practices and/or models, on Cash Assistance Programs utilized in Alameda County and surrounding Bay Area counties.

Motion No. M01-176

APPROVED by the following vote:
Ayes: 6 - Gonzalez, Hall, Leno, Maxwell, McGoldrick, Yee
Noes: 4 - Ammiano, Daly, Peskin, Sandoval
Absent: 1 - Newsom

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 27 through 42

012142 **[Federal Grant - Department of Public Works]**
Supervisor Ammiano

Resolution authorizing the Director of the Department of Public Works to accept retroactively and expend up to $15,983 in federal Emergency Relief funds with required local matching funds of $2,071 for reconstruction of the hillside at San Jose Avenue from Richland Avenue to Highland Avenue in the City and County of San Francisco.

Resolution No. 980-01
ADOPTED

012143 **[Hanging Noose]**
Supervisor Daly

Resolution condemning recent hanging noose incidents in San Francisco and elsewhere, supporting the efforts of local labor unions to raise awareness of hate crimes and urging the San Francisco Police Department and District Attorney to adopt a zero-tolerance policy toward hate and terror based crimes.

Resolution No. 981-01
ADOPTED

012146 **[GGNRA to Delay Leash Enforcement]**
Supervisors Leno, Newsom, Daly, Yee, Hall, Gonzalez, Maxwell, Sandoval, McGoldrick

Resolution requesting the National Park Service to delay enforcing, in the San Francisco parks situated in the GGNRA, 36 C.F.R. 2.15, requiring pets to be on leash in national parks, until the ANPR process has been completed.

Resolution No. 982-01
ADOPTED

012149 **[Airport Security Act]**
Supervisors Sandoval, Newsom, Daly, Gonzalez, Peskin, Ammiano, McGoldrick, Leno, Yee, Hall, Maxwell

Resolution urging the San Francisco and California Congressional delegation to amend, S. 1447, the Airport Security Act to allow security workers to retain their jobs regardless of citizenship status and urging San Francisco International Airport to apply to be one of the five airports that will remain privatized.

Resolution No. 983-01
ADOPTED

012150 **[Commend - Anti-Defamation League]**
Supervisor Leno

Resolution commending the Anti-Defamation League for its recent plan to advocate for same-sex domestic partners' rights.

Resolution No. 984-01
ADOPTED

012151 **[Commend - Claire Pilcher]**
Supervisors Leno, Peskin

Resolution commending Claire Pilcher, founder of the Friends of Noe Valley.

Resolution No. 985-01
ADOPTED

012152 **[Commend - Mrs. Ora Tyiska-Smith]**
Supervisor Maxwell

Resolution celebrating Mrs. Ora Tyiska-Smith's 85th birthday and commending her for her exemplary service and dedication to the Christian community.

Resolution No. 986-01
ADOPTED

012153 **[Commend - Arlevia Marie Rogers]**
Supervisor Maxwell

Resolution commending and celebrating the life of Arlevia Marie Rogers for her lifelong commitment to protect, educate and inspire children everywhere.

Resolution No. 987-01
ADOPTED

012119 **[Final Map for an 8 Unit Residential Condominium Project]**
Motion approving Final Map of 415 Bryant Street, a Residential Condominium Project, being a subdivision of Lot 97, Assessor's Block No. 3775, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,267; District 10.)

Motion No. M01-173
APPROVED

012120 **[Final Map for a 21 Unit Mixed Use Condominium Project]**
Motion approving Final Map of 70 - 78 Ocean Avenue, a Mixed Use Condominium Project, being a subdivision of Lot 26, Assessor's Block No. 3207, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,295; District 11.)

Motion No. M01-174
APPROVED

012162 **[Final Map for a 20 Unit Live/Work Condominium Project]**

Motion approving Final Map of 2407 - 2411 Harrison Street, a Live/Work Condominium Project, being a subdivision of Lot 33, Assessor's Block No. 4084. and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,300; District 9.)

Motion No. M01-175

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee

Absent: 1 - Newsom

Severed From For Adoption Without Committee Reference Agenda

012144 **[Recount of Votes Cast at November 7, 2000 San Francisco Election]**

Supervisor Gonzalez

Resolution urging the District Attorney to petition the Superior Court under California Elections Code Section 15640 for an order directing a public recount of the votes cast at the November 7, 2000 San Francisco Municipal election.

Supervisor Gonzalez requested this matter be severed so it could be considered separately.

REFERRED to the Rules Committee.

012145 **[Recount of Votes Cast at November 6, 2001 San Francisco Election]**

Supervisor Gonzalez

Resolution urging the District Attorney to petition the Superior Court under California Elections Code Section 15640 for an order directing a public recount of the votes cast at the November 6, 2001 San Francisco Municipal election.

Supervisor Gonzalez requested this matter be severed so it could be considered separately.

REFERRED to the Rules Committee.

012147 **[Law Library]**

Supervisor Leno

Resolution increasing civil filing and appearance fees provided in Business and Professions Code Sections 6321, 6322 and 6322.1 for operation of the Law Library.

Supervisor Hall requested this matter be severed so it could be considered separately.

Supervisor Gonzalez moved to continue to December 17, 2001.

CONTINUED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee

Absent: 1 - Newsom

012148 **[Grant - Recreation and Park Department]**
Supervisors Maxwell, Leno

Resolution authorizing the Recreation and Park Department to accept and expend a grant in the total amount of $500,000 from the National Park Service under the Fiscal Year 2001 Urban Parks and Recreation Recovery Program for the renovation of the play area at Joseph Lee Recreation Center.

Supervisor Maxwell requested this matter be severed so it could be considered separately.

Resolution No. 969-01

ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

012154 **[Commend - S.F. Airport Commission]**
Supervisor Newsom

Resolution commending the San Francisco Airport Commission for their work by recommending the enactment of an ordinance that will allow a partial pass-through of the taxi trip fee to taxi passengers.

Supervisor Gonzalez requested this matter be severed so it could be considered separately.

REFERRED to the Economic Vitality, Small Business and Social Policy Committee.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

012184 **[Filing Electronic Copies of Campaign Statements]**
Supervisor Ammiano

Ordinance amending Article 1, Chapter 3 of the Campaign and Governmental Conduct Code, by amending Sections 1.305 and 1.310, and adding Section 1.312, to require political committees to file electronic copies of supplemental independent expenditure reports that must be filed on paper with the Commission; authorize the Ethics Commission to require political committees to file electronic copies of any other campaign disclosure statements that must be filed on paper with the Commission; require that political committees continue to file electronic copies of campaign disclosure statements, regardless of the committee's level of financial activity, until the committee files a statement of termination; and eliminate redundant definitions.
12/10/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/9/2002.

012185 **[SFUSD not provide information regarding 2002 Bond funds]**
Supervisors Ammiano, McGoldrick, Leno, Maxwell

Ordinance amending the San Francisco Administrative Code by adding Section 10.19-4 to require specified City departments to notify the Board of Supervisors if the San Francisco Unified School District does not meet with or otherwise provide information about the 2002 bond proceeds, as agreed.
12/10/01, RECEIVED AND ASSIGNED to Finance Committee.

012186 **[Regulation of Diesel Backup Generators]**
Supervisor Maxwell

Ordinance amending the San Francisco Health Code by adding a new Article 30 to: (1) establish a registration program within the Department of Public Health for diesel backup generators used by facilities in the City and County of San Francisco; (2) require new backup diesel generators to have air emission control technologies: (3) limit the operation of diesel backup generators during non-emergency situations; (4) establish a recordkeeping requirement for the operation of diesel backup generators; and (5) provide for an enforcement mechanism for violations of the requirements of this Ordinance.
12/10/01. ASSIGNED UNDER 30 DAY RULE to Public Health and Environment Committee, expires on 1/9/2002.

012187 **[Consular Identification Cards]**
Supervisors Sandoval, Gonzalez, Leno, Daly, Ammiano, McGoldrick, Peskin, Yee, Maxwell

Ordinance amending the San Francisco Administrative Code by adding Chapter 95, encompassing Section 95.1, to require City departments to accept identification cards issued to foreign citizens or nationals if the issuing country authorizes the use of the card as a passport for re-entry into the issuing country, the card has a photograph of the person and date of birth, and the process for issuing the card meets standards established by the Director of Administrative Services to ensure accurate identification of the person and to discourage fraudulent documents.

12/10/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/9/2002.

Resolutions

012188 **[Grant - Department of Parking and Traffic]**
Supervisor Leno

Resolution authorizing the Executive Director of the Department of Parking and Traffic (DPT) to retroactively apply for, accept, and expend funds from a cooperative agreement with the Federal Highway Administration (FHWA) for a pedestrian safety engineering study (with federal funding of $155,735) and to execute any necessary documents.

12/10/01, RECEIVED AND ASSIGNED to Finance Committee.

012189 **[Appointment - James McCray, Jr.]**
Resolution confirming the appointment of James McCray, Jr. to the Board of Directors of the Municipal Transportation Agency to serve the remainder of the James Bourgart's term, ending March 1, 2002. (Mayor)
12/10/01, RECEIVED AND ASSIGNED to Rules Committee.

012190 **[2002 SFUSD General Obligation Bond Sale]**
Supervisors Ammiano, Peskin, McGoldrick, Leno, Maxwell, Newsom

Resolution authorizing and directing the sale of not to exceed $29,480,000 City and County of San Francisco General Obligation Bonds (Educational Facilities Bonds, 1997 - San Francisco Unified School District), Series 2002_; prescribing the form and terms of said Bonds; authorizing the execution, authentication and registration of said Bonds; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of accounts related thereto; approving the forms of Official Notice of Sale and Notice of Intention to Sell Bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form and execution of the official statement relating thereto; approving the form and execution of the Continuing Disclosure Certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds.

12/10/01, RECEIVED AND ASSIGNED to Finance Committee.

012191 **[Definition of Homelessness]**
Supervisors Ammiano, Daly, Newsom

Resolution establishing an official citywide definition of homelessness for San Francisco to enable all City Departments and community based organizations to communicate and share information on the homeless population using the same terms and parameters.
12/10/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012192 **[Recount of November 7, 2000 Election]**
Supervisors Gonzalez, McGoldrick

Resolution urging the California Secretary of State to use its authority under California Government Code Section 12172.5 to conduct a full and public recount of the November 7, 2000 San Francisco Municipal election.
12/10/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012193 **[Recount of November 6, 2001 Election]**
Supervisors Gonzalez, McGoldrick

Resolution urging the California Secretary of State to use its authority under California Government Code Section 12172.5 to conduct a full and public recount of the November 6, 2001 San Francisco Municipal election.
12/10/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012194 **[Grant - Planning Department]**
Supervisor Maxwell

Resolution authorizing the Director of the Planning Department to accept and expend $45,000 in Transportation Development Act (TDA) funds programmed by the Metropolitan Transportation Commission to undertake a community planning process to result in a Visitacion Valley Strategy Plan in the City and County of San Francisco.
12/10/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012195 **[Grant - Department of Parking and Traffic]**
Supervisors Maxwell, Hall, Newsom

Resolution authorizing the Director of the Department of Public Works and the Executive Director of the Department of Parking and Traffic to accept and expend up to $9,034,000 in state Regional Transportation Improvement Program (RTIP) Funds for various transportation capital projects in the City and County of San Francisco.
12/10/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012196 **[Matthew H. Hymel Day]**
Supervisors Peskin, Leno, Daly, Newsom

Resolution recognizing Matthew H. Hymel's dedicated service to our City, and declaring December 21, 2001 to be "Matthew H. Hymel Day" in San Francisco.
12/10/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012197 **[Name West Sunset Playground Soccer Field in honor of James Lucey]**
Supervisors Yee, Hall, Newsom

Resolution urging the San Francisco Recreation and Park Commission to name the West Sunset Playground Soccer Field in honor of James Lucey.
12/10/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012198 **[Commend - Circus Center]**
Supervisors Gonzalez, Daly, Newsom

Resolution commending the Circus Center and declaring Wednesday December 19, 2001 to be Circus Center Day in San Francisco.
12/10/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012199 **[Commend - Al Evans]**
Supervisors Leno, Newsom, Gonzalez

Resolution commending Al Evans for his historic preservationist work in the Alamo Square Neighborhood of San Francisco.
12/10/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012200 **[Commend - Norlean Bee]**
Supervisors Maxwell, Leno

Resolution commending and celebrating the life of Norlean Bee for her lifelong commitment to protect, inspire and unite the community which she calls home.
12/10/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012201 **[Commend - City College of SF Football Team]**
Supervisors Sandoval, Newsom

Resolution commending the City College of San Francisco football team for winning its third consecutive state and national division championship.
12/10/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012202 **[Commend - City College of SF Football Team]**
Supervisors Hall, Newsom

Resolution commending the City College of San Francisco football Rams for winning their third consecutive national Junior College football championship.

12/10/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012203 **[Anti-Terrorism Block Grant Fund]**
Supervisor Leno

Resolution urging the United States Congress to adopt the National Association of Counties (NACo) Homeland Security Task Force Recommendation for a county specific Anti-terrorism Block Grant Fund.

12/10/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

011373 **[Interim Control - Third Street]**
Supervisors Maxwell, Leno, McGoldrick

Resolution adopting interim controls that would subject the following properties on Third Street between Islais Creek and Paul Avenue, which are currently zoned M (Industrial), to the more restrictive controls of NC-3 (Moderate-Scale Neighborhood Commercial) for a period of twelve months: Assessor's Block 4501, Lots 001, 003, 004, and 005: Block 4881, Lots 012, 018, 022, and 024, Block 4912, Lot 006, Block 4940, Lots 012A, 012B, and 024, Block 5211, Lots 027 and 028, Block 5217, Lot 001, Block 5225, Lot 010, Block 5226, Lots 025, and 028, Block 5235, Lots 003 and 011, Block 5242, Lots 021, 022, 023, 024, and 042; Block 5253, Lots 003, 008, 029 ,030, 031, 032, 033, and 034, Block 5260, Lots 001, 002, 003, 032, 034, 035 and 036, Block 5272, Lots 045 and 048, Block 5279, Lots 001, 002 and 003, Block 5414, Lots 005, 006, 007, 008, 025, 026, 027, 028, and 030, Block 5418, Lots 001, 002, and 010, Block 5419, Lots 006, 007, 007B, 007C, 009, 015, 016, 017, and 018, Block 5421, Lot 011, Block 5429, Lot 002, Block 5431A, Lots 001, 001M, 001U, 001V, and 004; adopting findings pursuant to Planning Code Section 101.1.

(Received Certificate of Exemption/Exclusion from Environmental Review dated 9/25/01; received revised Certificate of Exemption/Exclusion from Environmental Review dated 10/22/01)
(12/10/01 at Board: Supervisor Maxwell submitted a substitute resolution bearing new title.)

7/23/01, ASSIGNED UNDER 30 DAY RULE to Housing, Transportation and Land Use Committee, expires on 8/22/2001. 7/27/01 - Transmitted to Director of Planning for environmental review.

12/10/01, SUBSTITUTED. Supervisor Maxwell submitted a substitute resolution bearing new title.

12/10/01, ASSIGNED to Housing, Transportation and Land Use Committee.

Requests for Hearing

012204 **[Vote-By-Mail, Same Day Voter Registration]**
Supervisor Ammiano

Hearing to consider Vote-By-Mail, Same Day Voter Registration and other changes to state law designed to enhance voter turnout.

12/10/01, RECEIVED AND ASSIGNED to Rules Committee.

012205 **[PUC's Long Term Capital Improvement Plan]**
Supervisor Hall

Hearing to consider the Public Utilities Commission's long term capital improvement plan.
12/10/01, RECEIVED AND ASSIGNED to Public Utilities and Deregulation Committee

012206 **[1996's Proposition A Affordable Housing Funds]**
Supervisor Hall

Hearing to consider the 1996's Proposition A affordable housing funds.
12/10/01, RECEIVED AND ASSIGNED to Rules Committee.

012207 **[Arts and Social Service Non-Profit Groups]**
Supervisor McGoldrick

Hearing on possible funding mechanisms by which the City may help arts and social service non-profit groups secure affordable office and studio space in San Francisco, with special focus on how a bond measure may provide a secure and stable source of funding for such efforts.
12/10/01, RECEIVED AND ASSIGNED to Finance Committee.

012208 **[Department of Building Inspection]**
Supervisor McGoldrick

Hearing on the practices of Department of Building Inspection with regard to safety inspections of balconies and porches in residential housing.
12/10/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

012209 **[Unsound Building Reports]**
Supervisor McGoldrick

Hearing on the practices of Department of Building Inspection with regard to the production of what are known as "unsound building" reports, which are used as a justification for demolition of buildings.
12/10/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

012210 **[Board of Appeals]**
Supervisor McGoldrick

Hearing on changes to the rules of procedure proposed by the Board of Appeals for proceedings before that body.
12/10/01, RECEIVED AND ASSIGNED to Rules Committee.

012211 **[Planning Commission Public Comment]**
Supervisor McGoldrick

Hearing on the experience of the Planning Commission over the last year with regard to changes in the rules for public comment and how such changes may have affected the number and type of persons participating in public comment.
12/10/01. RECEIVED AND ASSIGNED to Rules Committee.

012212 **[Closure of Van Ness Avenue Corridor]**
Supervisors Newsom, Peskin, Daly

Hearing to discern pedestrian safety and transportation network issues as a result of the proposed long term traffic changes of the Van Ness Avenue Corridor.
12/10/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

Motions

012213 **[Rebuttal Ballot Arguments]**
Supervisor Ammiano

Motion authorizing Supervisor Gonzalez to submit a rebuttal ballot argument in favor of Proposition A, Supervisor McGoldrick to submit a rebuttal ballot argument in favor of Proposition B, Supervisor Gonzalez to submit a rebuttal ballot argument in favor of Proposition C, Supervisor McGoldrick to submit a rebuttal ballot argument in favor of Proposition D and Supervisor Leno to submit a rebuttal ballot argument in favor of Propositon E on the March 2002 ballot.
12/10/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012214 **[Legislative Analyst Request]**
Supervisor Sandoval

Motion asking the Legislative Analyst to conduct general research and review of 2000 census data, analyzing both the economic and social demographics for the City of San Francisco by supervisorial district and for the City as a whole.
12/1/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration December 12, 2001.

012215 **[Legislative Analyst Request]**
Supervisor Yee

Motion asking the Legislative Analyst to produce a report that identifies persons nominated and appointed to City Boards and Commissions. The report should include: (1) data on gender, age, ethnicity, and term of appointment; and (2) all persons whether current or past from January 1, 1999 to the present.
12/10/01, ASSIGNED to Board of Supervisors. Scheduled for Board consideration December 12, 2001.

012216 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Yee, Daly, Peskin, McGoldrick, Maxwell, Leno

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
12/10/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

012027 **[Appropriation - Airport Commission Airline Passenger Facility Charge (PFC2) Revenue]**

Ordinance appropriating $244,757,735 of Passenger Facility Charge (PFC2) revenue to fund the cost of the principal and interest on bonds issued for certain eligible costs associated with the new international terminal complex. and the development and implementation of the precision runway monitoring system at the Airport Commission for fiscal year 2001-02, placing $244,757,735 on reserve pending approval by the Federal Aviation Administration of the Passenger Facility Charge (PFC2). (Controller)

(Fiscal impact.)

12/3/01, RECEIVED AND ASSIGNED to Finance Committee.

PROPOSED RESOLUTIONS

012036 **[Gift Acceptance from Friends and Foundation of the San Francisco Public Library]**

Resolution authorizing the Public Library to accept and expend a gift in the amount of $12,000 from the Friends and Foundation of the San Francisco Public Library to purchase materials related to the gay, lesbian, transgender and bisexual community. (Public Library)

11/15/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

012180 **[Extending Cooperative Agreement between the Treasure Island Development Authority and the U.S. Navy]**

Resolution approving and authorizing the Treasure Island Development Authority to enter into the 11th modification to the Cooperative Agreement with the Navy to extend the Cooperative Agreement to June 30, 2002 for an additional amount of Navy reimbursement not to exceed $145,000. (Mayor)

12/5/01, RECEIVED AND ASSIGNED to Finance Committee.

Requests Granted

From: Supervisor Gonzalez
To: City Attorney
Requesting/Inquiring: To draft a ballot measure to appear before the voters in November 2002 to modify the appointment process for the Golden Gate Park Concourse Authority to require any appointments by the Mayor to the Concourse Authority to be confirmed by the Board of Supervisors by a two-thirds majority. Additionally, the measure will specify the areas of experience and knowledge of prospective holders of seats on the Concourse Authority.

From: Supervisor Hall
To: City Attorney
Requesting/Inquiring: To draft legislation the would (1) immediately eliminate any City position that has been vacant since July 1, 2001; (2) require that, beginning on the effective date of the ordinance, any position that remains vacant for at least four months will be eliminated; (3) create a waiver provision if the Board of Supervisors passes an ordinance, by a 2/3 vote, approves such a waiver, and only after the Department seeking the waiver has completely demonstrated to a Committee of the Board that it is actively searching for a qualified applicant; and (4) require a Department creating a new position to appear before a Committee of the Board to demonstrate that the new position is substantially different from any previously eliminated position within the Department, and then require 2/3 Board approval of an ordinance creating the new position.

From: Supervisor Hall
To: City Attorney
Requesting/Inquiring: To draft legislation that caps the total number of city employees at its current level as a percentage of the City's total population. In census years, use United States Census Department figures to determine the City's population; in non-census years, use California Department of Finance population figures to determine the City's population. Create an exception for public safety employees - police, firefighters, and sheriffs. Create a waiver provision that allows the Board to pass an ordinance, by 2/3 approval, to waive the cap upon demonstration of exigent circumstances by the Department.

From: Supervisor Hall
To: Public Utilities Commission
Requesting/Inquiring: To submit quarterly reports to the Board of Supervisors on its Long Term Capital Improvement Program.

From: Supervisor Hall and Supervisor Gonzalez
To: Housing Authority
Requesting/Inquiring: To provide the Board of Supervisors with quarterly updates on the Housing Authority's financial situation by providing a general accounting of all revenues and expenditures.

From: Supervisor Hall
To: Recreation and Park Department
Requesting/Inquiring: To describe the inter-department communication process regarding pending tree removal. Moreover, does the department notify the Neighborhood Parks Council, the San Francisco Tree Council, or other interested parties about pending tree removal?

From: Supervisor McGoldrick
To: City Attorney
Requesting/Inquiring: To draft a measure establishing a Geary Boulevard Working Group, made up of key City department representatives and stakeholders from the surrounding neighborhoods, charged with developing a Geary corridor transportation, pedestrian, and beautification plan.

From: Supervisor McGoldrick
To: City Attorney

Requesting/Inquiring: To draft a bond measure to be submitted to the voters establishing an Arts & Social Service Nonprofit Stabilization Fund, whereby the City will provide assistance to nonprofit organizations in jointly purchasing properties for nonprofit uses, in exchange for limiting the use of such properties to nonprofit purposes in perpetuity.

From: Supervisor McGoldrick
To: City Attorney
Requesting/Inquiring: To draft a measure establishing an Arts & Social Service Nonprofit Stabilization Working Group, with participants from key City departments and nonprofit organizations, with the goal of developing an action plan for providing stable funding for permanent space to house struggling arts and social service nonprofit organizations.

From: Supervisor Sandoval
To: Clerk of the Board of Supervisors
Requesting/Inquiring: To write a letter to the San Francisco Department of Parking and Traffic to inquire about the completion timeline for roadwork and light installation at the corner of Sagamore Street and San Jose Avenue.

From: Supervisor Yee
To: City Attorney
Requesting/Inquiring: To draft legislation that requires employers to post a bond or other security to ensure that their workers will receive compensation which they are due.

From: Supervisor Leno
To: Department of Public Health
Requesting/Inquiring: Inquiring about what resources the Department would need and would it be feasible for the Department to implement a licensing program for body piercing in San Francisco? The context for this inquiry is the following:

a) There is no licensing for piercing, but there is state licensing for barbers, tattoo parlors and other professional services with potential health risks.
b) Oral and other body piercings can cause allergic reactions, bacterial infections, blood infections, toxic shock syndrome and other ailments. Clearly this profession should have oversight by public health regulatory organizations.

From: Supervisor Peskin
To: City Attorney
Requesting/Inquiring: To draft legislation that would modify Section 8 of the City's Business and Tax Regulations Code to disallow serial continuances of an appeal of an enforcement action at the Board of Appeals. This legislation would address a current practice of manipulating the appeal process to enable prohibited construction to continue indefinitely.

Specifically, in Section 8, after sub-section (h), a sentence should be added to the paragraph that sets forth the process for the time and place of an appeal hearing. The inserted sentence should read similar to the following language: "In the case of an appeal of an enforcement action, the hearing shall be held no later than 45 days after the filing of said appeal. Continuances beyond the 45th day may only be granted if the conduct challenged is discontinued pending final action by the Board."

From: Supervisor Sandoval
To: Clerk of the Board of Supervisors
Requesting/Inquiring: To write a letter to the San Francisco Department of Public Works to inquire about the completion timeline for the light installation at the corner of St. Charles Ave and Alemany Blvd.

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

John Michael DeGregorio (Supervisor Sandoval)
Frank Puccetti (Supervisor Sandoval)
Mrs. Norlean Bee (Supervisor Maxwell)

ADJOURNMENT

There being no further business, the Board at the hour of 4:32 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 28, 2002.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited

Gloria L. Young
Clerk of the Board

90
72
1,7/01

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.
FEB 26 2002
SAN FRANCISCO
PUBLIC LIBRARY

Monday, December 17, 2001 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Audit, Labor and Government Efficiency Committee Supervisors Newsom. Daly, McGoldrick	2nd & 4th Tuesday 1:00 PM
City and School District Committee Supervisor Maxwell, Supervisor Ammiano, Commissioner Wynns, Commissioner Mar	Call of the Chair 3.00 PM
Economic Vitality, Small Business and Social Policy Committee Supervisors Sandoval, Newsom, Gonzalez	1st & 3rd Tuesday 10.00 AM
Finance Committee Supervisors Leno, Peskin, Maxwell	Wednesday 12.30 PM
Housing, Transportation and Land Use Committee Supervisors McGoldrick. Daly, Peskin	2nd & 4th Thursday 10:00 AM
Neighborhood Services and Parks Committee Supervisors Yee, Hall, Sandoval	1st & 3rd Tuesday 1:00 PM
Public Health and Environment Committee Supervisors Maxwell. Yee. Leno	2nd & 4th Tuesday 10:00 AM
Public Utilities and Deregulation Committee Supervisors Daly. Gonzalez, Ammiano	Call of the Chair
Rules Committee Supervisors Gonzalez. Hall. Ammiano	1st & 3rd Thursday 1:00 PM

First-named Supervisor/Commissioner is Chair. Second-named Supervisor/Commissioner is Vice-Chair. of the Committee

Volume 96 Number 48

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisor was noted absent:

Supervisor Yee - 1.

Quorum present.

Supervisor Yee was noted present at 2:03 p.m.

Introduction of Guests

Supervisor Gonzalez introduced, welcomed and presented a commendation to the Circus School, Circus Center.

Supervisor Hall introduced, welcomed and presented a commendation to Sister Marie Ignatius.

AGENDA CHANGES

COMMUNICATIONS

Receipt of the Official Statement of Vote for the November 6, 2001 Election, from the Director of Elections.

CONSENT AGENDA

Items 1 through 3

Recommendations of the Rules Committee

011718 **[Appointment]**

Resolution appointing Diane Robinson, term ending September 2, 2002, to the Assessment Appeals Board No. 1.

Diane Robinson, succeeding Ermelinda Trevino, seat 3, resigned, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for the unexpired portion of a three-year term expiring September 2, 2002.

Resolution No. 991-01
ADOPTED

012082 **[Appointment]**

Resolution appointing Robert Dougherty, term to be determined, to the Golden Gate Park Stables Working Group, residency requirement waived.

Robert Dougherty (residency requirement waived), new position, seat 6, must be a licensed professional engineer with experience in the construction and/or the rehabilitation of horse stables, term to be determined.

Resolution No. 993-01
ADOPTED

012121 **[Appointment]**

Resolution appointing Susuan Garbuio, term ending September 30, 2003, and Rose Lou Randolph, Carole Kilgariff, and Darrick Lam, terms ending September 30, 2004, to the Adult Day Health Care Planning Council, residency requirement waived.

Rose Lou Randolph, succeeding herself, term expired, seat 2, must represent age group, for a new three-year term ending September 30, 2004;
Carole Kilgariff, succeeding herself, term expired, seat 3, must represent age group, for a new three-year term ending September 30, 2004;
Susuan Garbuio, succeeding Carole Kilgariff, term expired, seat 7, must represent age group, for a new three-year term ending September 30, 2003;
Darrick Lam (residency requirement waived), succeeding himself, term expired, seat 10, must represent the Commission on the Aging, for a new three-year term ending September 30, 2004.

Resolution No. 995-01
ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Housing, Transportation and Land Use Committee

011050 **[Tour Buses on El Camino del Mar, and portions of 25th Avenue]**
Supervisor Newsom

Ordinance adding Police Code Section 1183.31 to prohibit the driving of tour buses on El Camino del Mar between the Presidio and Legion of Honor Drive, and on 25th Avenue between Lake Street and El Camino del Mar, through December 31, 2002.

Ordinance No. 247-01
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011898 **[Speed Limit - 16th Street, between 3rd and 7th Streets]**
Supervisor Daly

Ordinance adding Section 175.34 to the San Francisco Traffic Code, establishing a 30-MPH speed limit for 16th Street, between 3rd and 7th Streets. (Parking and Traffic Department)

Ordinance No. 248-01
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011931 **[Double Parking on Municipal Railway Bus Routes Prohibit; Fines]**
Supervisors Newsom, McGoldrick, Daly

Ordinance amending Article 3, Chapter XI, Part II, Section 53(a) of the San Francisco Traffic Code removing sunset clause. (Parking and Traffic Department)

Ordinance No. 249-01
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011932 **[Speed Limit - Clarendon Avenue]**
Supervisor Hall

Ordinance amending Section 176.18 of the San Francisco Traffic Code clarifying the boundaries for the 35-MPH speed limit along Clarendon Avenue (Parking and Traffic Department)

Ordinance No. 250-01
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011933 **[Special Traffic Permit Violation Penalties]**
Supervisor McGoldrick

Ordinance amending San Francisco Traffic Code Section 194.3. to provide a graduated penalty schedule for violation of the Special Traffic Permit or for obstructing traffic without a Special Traffic Permit (Parking and Traffic Department)

Ordinance No. 251-01
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

NEW BUSINESS

Recommendation of Finance Committee

012116 **[Approval of Amendment(s) to Design Agreement for the Laguna Honda Hospital Replacement Program]**
Resolution authorizing the Director of Public Works to execute amendment(s) to a design agreement for the Laguna Honda Hospital Replacement Program from $7,599,717 to $29,900,000. (Public Works Department)

(Fiscal impact.)

Resolution No. 994-01
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Public Health and Environment Committee

010491 **[Expanding the authority of the Department of Animal Care and Control to issue dog licenses and enter into agreements with pet-related businesses and animal welfare organizations to issue dog licenses.]**
Supervisors Leno, Maxwell, Peskin, Newsom

Ordinance amending the San Francisco Health Code by amending sections 41, 41.2, 41.4, 41.5, 41.15, 41.19, 41.20 and 41.22 to: (1) expand the authority of the Department of Animal Care and Control to issue dog licenses; (2) authorize the Director of Animal Care and Control to enter into agreements with persons and entities, including but not limited to, veterinarians, retailers of pet supplies and pet services and animal welfare organizations, to accept applications for, and issue dog licenses; and (3) make miscellaneous technical corrections and delete references to obsolete code sections and terms; and amending the San Francisco Business and Tax Regulations Code by amending section 221.3 to specify that dog license fees collected by the Department of Animal Care and Control be delivered to the San Francisco Animal Control and Welfare Fund

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011796 **[Transportation of Aggregate Materials]**
Supervisors Maxwell, Leno, Daly, Newsom

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12T to require City Departments and contractors operating vehicles carrying dirt and other aggregate material to cover the load to prevent the entrainment of particulate material into the air during the transportation of such materials within San Francisco.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Rules Committee

011909 **[Municipal Election]**
Supervisors Peskin, Daly

Ordinance amending Municipal Code, Elections Code by adding Section 970 to prohibit the giving or receiving of anything of value in consideration of voting, refraining from voting, or voting for or against a candidate or measure at a municipal election.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

011686 **[Elections Task Force use the principle of "maximum continuity"]**
Supervisors Gonzalez, Maxwell, Daly

Resolution urging the Elections Task Force use the principle of "maximum continuity" in redrawing supervisorial districts.

Resolution No. 990-01
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

012139 **[Appointment - Chantel L. Walker]**
Mayor

Resolution confirming the appointment of Chantel L. Walker to the San Francisco Redevelopment Agency, vice Michael Settles, for the remainder of a four-year term ending September 2, 2003. (Mayor)

Resolution No. 970-01
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

012170 **[Ballot Argument - Elective Officials]**
Supervisor Gonzalez

Motion authorizing proponent's ballot argument in favor of Proposition A, a Charter Amendment regarding Elective Officials.

12/17/01 - Supervisor Gonzalez, seconded by Supervisor Leno moved an Amendment of the Whole bearing same title.
AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Motion No. M01-180
APPROVED AS AMENDED by the following vote:
Ayes: 7 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick
Noes: 4 - Newsom, Peskin, Sandoval, Yee

012176 **[Ballot Argument - Cost of Living Benefits for Retirees]**
Supervisors McGoldrick, Sandoval

Motion authorizing proponent's ballot argument in favor of Proposition B, a Charter Amendment regarding Cost of Living Benefits for Retirees.

12/17/01 -Supervisor Sandoval requested to added as a co-sponsor.
Motion No. M01-183
APPROVED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

012168 **[Ballot Argument - Noncitizens on City Boards, Commissions, and Advisory Bodies.]**
Supervisor Gonzalez

Motion authorizing proponent's ballot argument in favor of Proposition C, a Charter Amendment regarding Noncitizens on City Boards, Commissions, and Advisory Bodies.

Motion No. M01-179
APPROVED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

012174 **[Ballot Argument - Planning Commission and Board of Appeals]**
Supervisor McGoldrick

Motion authorizing proponent's ballot argument in favor of Proposition D, a Charter Amendment regarding Appointments to the Planning Commission and the Board of Appeals.

Motion No. M01-182
APPROVED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Newsom, Yee

012172 **[Ballot Argument - Domestic Partners Benefits]**

Motion authorizing proponent's argument in favor of Proposition E, a Charter Amendment regarding Domestic Partner Benefits.

Motion No. M01-181

APPROVED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

COMMITTEE REPORTS

011999 **[Muni Buses for Olympic Games of 2002]**

Resolution approving an agreement between the Salt Lake Organizing Committee for the Olympic Games of 2002, Inc. and the City and County of San Francisco, acting by and through its Municipal Transportation Agency, lending up to fifty (50) of City's standard New Flyer buses to the Salt Lake Organizing Committee for the Olympic Games of 2002, Inc., from no later than January 1, 2002 to no later than March 1, 2002 for the 2002 Winter Olympic Games. (Municipal Transportation Agency)

Resolution No. 992-01

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdalla Megahed, fundraiser for the homeless;
Bob Planthold, Planning Department ADA requirements;
male speaker, police misconduct;
Frederick Hobson, Department of Public Works cutting of trees;
James Chaffe, Library Foundation;
male speaker, religion;
male speaker, elections;
Dave Rogers, Elections Department;
Robert Jackson, H.R. 2549.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

012214 **[Legislative Analyst Request]**
Supervisor Sandoval

Motion asking the Legislative Analyst to conduct general research and review of 2000 census data, analyzing both the economic and social demographics for the City of San Francisco by supervisorial district and for the City as a whole.

APPROVED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

012215 **[Legislative Analyst Request]**
Supervisor Yee

Motion asking the Legislative Analyst to produce a report that identifies persons nominated and appointed to City Boards and Commissions. The report should include: (1) data on gender, age, ethnicity, and term of appointment; and (2) all persons whether current or past from January 1, 1999 to the present.

12/17/01 - Supervisor Yee moved to continue to January 7, 2002, meeting.

CONTINUED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 25 through 42

012191 **[Definition of Homelessness]**
Supervisors Ammiano, Daly, Newsom

Resolution establishing an official citywide definition of homelessness for San Francisco to enable all City Departments and community based organizations to communicate and share information on the homeless population using the same terms and parameters.

Resolution No. 997-01
ADOPTED

012192 **[Recount of November 7, 2000 Election]**
Supervisors Gonzalez, McGoldrick

Resolution urging the California Secretary of State to use its authority under California Government Code Section 12172.5 to conduct a full and public recount of the November 7, 2000 San Francisco Municipal election.

Resolution No. 1006-01
ADOPTED

012193 **[Recount of November 6, 2001 Election]**
Supervisors Gonzalez, McGoldrick

Resolution urging the California Secretary of State to use its authority under California Government Code Section 12172.5 to conduct a full and public recount of the November 6, 2001 San Francisco Municipal election.

Resolution No. 1007-01
ADOPTED

012194 **[Grant - Planning Department]**
Supervisor Maxwell

Resolution authorizing the Director of the Planning Department to accept and expend $45,000 in Transportation Development Act (TDA) funds programmed by the Metropolitan Transportation Commission to undertake a community planning process to result in a Visitacion Valley Strategy Plan in the City and County of San Francisco.

Resolution No. 989-01
ADOPTED

012195 **[Grant - Department of Parking and Traffic]**
Supervisors Maxwell, Hall, Newsom

Resolution authorizing the Director of the Department of Public Works and the Executive Director of the Department of Parking and Traffic to accept and expend up to $9,034,000 in state Regional Transportation Improvement Program (RTIP) Funds for various transportation capital projects in the City and County of San Francisco.

Resolution No. 988-01
ADOPTED

012197 **[Name West Sunset Playground Soccer Field in honor of James Lucey]**
Supervisors Yee, Hall, Newsom

Resolution urging the San Francisco Recreation and Park Commission to name the West Sunset Playground Soccer Field in honor of James Lucey.

Resolution No. 999-01
ADOPTED

012198 **[Commend - Circus Center]**
Supervisors Gonzalez, Daly, Newsom

Resolution commending the Circus Center and declaring Wednesday December 19, 2001 to be Circus Center Day in San Francisco.

Resolution No. 1000-01
ADOPTED

012199 **[Commend - Al Evans]**
Supervisors Leno, Newsom, Gonzalez

Resolution commending Al Evans for his historic preservationist work in the Alamo Square Neighborhood of San Francisco.

Resolution No. 1001-01
ADOPTED

012200 **[Commend - Norlean Bee]**
Supervisors Maxwell, Leno

Resolution commending and celebrating the life of Norlean Bee for her lifelong commitment to protect, inspire and unite the community which she calls home.

Resolution No. 1002-01
ADOPTED

012201 **[Commend - City College of SF Football Team]**
Supervisors Sandoval, Newsom

Resolution commending the City College of San Francisco football team for winning its third consecutive state and national division championship.

Resolution No. 1003-01
ADOPTED

012202 **[Commend - City College of SF Football Team]**
Supervisors Hall, Newsom

Resolution commending the City College of San Francisco football Rams for winning their third consecutive national Junior College football championship.

Resolution No. 1004-01
ADOPTED

012203 **[Anti-Terrorism Block Grant Fund]**
Supervisor Leno

Resolution urging the United States Congress to adopt the National Association of Counties (NACo) Homeland Security Task Force Recommendation for a county specific Anti-terrorism Block Grant Fund.

Resolution No. 1005-01
ADOPTED

012213 **[Rebuttal Ballot Arguments]**
Supervisor Ammiano

Motion authorizing Supervisor Gonzalez to submit a rebuttal ballot argument in favor of Proposition A, Supervisor McGoldrick to submit a rebuttal ballot argument in favor of Proposition B, Supervisor Gonzalez to submit a rebuttal ballot argument in favor of Proposition C, Supervisor McGoldrick to submit a rebuttal ballot argument in favor of Proposition D and Supervisor Leno to submit a rebuttal ballot argument in favor of Propositon E on the March 2002 ballot.

Motion No. M01-184
APPROVED

012216 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Yee, Daly, Peskin, McGoldrick, Maxwell, Leno

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M01-185
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Severed from For Adoption Without Committee Reference

012046 **[Instant Runoff Voting]**
Supervisor Gonzalez

Resolution supporting legislation recently introduced in the United States Congress by Representative Jesse Jackson Jr. regarding Instant Runoff Voting.

Supervisor Yee requested this matter be severed so it could be considered separately.
REFERRED to the Rules Committee.

012147 **[Law Library]**
Supervisor Leno

Resolution increasing civil filing and appearance fees provided in Business and Professions Code Sections 6321, 6322 and 6322.1 for operation of the Law Library.

Supervisor Leno requested this matter be severed so it could be considered separately.
Resolution No. 996-01
ADOPTED by the following vote:
Ayes: 8 - Ammiano, Daly, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 3 - Gonzalez, Hall, Yee

012196 **[Matthew H. Hymel Day]**
Supervisors Peskin, Leno, Daly, Newsom

Resolution recognizing Matthew H. Hymel's dedicated service to our City, and declaring December 21, 2001, to be "Matthew H. Hymel Day" in San Francisco.

Supervisor Ammiano requested this matter be severed so it could be considered separately.
12/17/01 - Supervisor Leno requested to be added as a co-sponsor.

Resolution No. 998-01

ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

012219 **[Declaration of November 6, 2001 Election Results]**
Resolution declaring the results of the November 6, 2001 Consolidated Municipal Election. (Elections Department)

REFERRED to the Rules Committee.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

012234 **[Shopping Carts]**
Supervisor Newsom

Ordinance amending the San Francisco Public Works Code by adding Article 24, consisting of Sections 1400 through 1409, to declare unattended empty shopping carts on either public property or on private property without the owner's consent to be a nuisance, and authorizing the Department of Public Works to seize such shopping carts and charge impound and storage costs where the shopping carts are not retrieved by their owner within three days from the receipt of notice of the seizure.
12/17/01, ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Parks Committee, expires on 1/16/2002.

012235 **[Shopping Cart Indentification and Unauthorized Removal]**
Supervisor Newsom

Ordinance amending the San Francisco Public Works Code by adding Article 24, consisting of Sections 1400 through 1409, to require businesses with 25 or more carts to (1) permanently affix identification on the carts, and (2) develop and implement plans to prevent the unauthorized removal of carts from the premises.
12/17/01, ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Parks Committee, expires on 1/16/2002.

012236 **[Appropriation - District Attorney]**
Mayor

Ordinance appropriating $275,237 from the General Fund Reserve to provide funding for the court ordered change of venue for the case of People of State of California v. Knoller, et al. for the District Attorney for fiscal year 2001-02. (Mayor)

(Fiscal impact.)
12/17/01, RECEIVED AND ASSIGNED to Finance Committee.

Resolutions

012237 **[Wireless Telecommunications Services Facilities - Siting Guidelines]**
Supervisor Ammiano

Resolution urging the Planning Department to adopt modifications to the August 15, 1996 Wireless Telecommunications Services (WTS) Facilities Siting Guidelines.
12/17/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

012238 **[Construction Easement by Eminent Domain]**
Supervisor Ammiano

Resolution authorizing acquisition of a temporary construction easement for easterly portions of 155 Fifth Street, in San Francisco Assessor's Block 3724, Lot 066, by eminent domain, for the Moscone Center Expansion Project.

(Companion measure to Files 012257, 012258.)
12/17/01, SCHEDULED FOR PUBLIC HEARING. Scheduled for January 14, 2002, at 3:00 PM.

012239 **[Krug Winery]**
Supervisors Gonzalez, Sandoval, Peskin, Daly, Maxwell

Resolution supporting the workers of United Food and Commercial Workers Local 186D in their campaign to preserve the last remaining wine production union in Napa Valley.
12/17/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

012240 **[Removal of Boy Scout Language]**
Supervisors Leno, Gonzalez, Daly

Resolution urging the United States Congress to remove language from the federal education bill regarding the Boy Scouts.
12/17/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012241 **[Request for Exemption from State Statute-Shopping Carts]**
Supervisor Newsom

Resolution urging the California State Legislature to exempt the City and County of San Francisco from the requirements of Section 22435.7 of the Business and Professions Code, limiting the ability of local governments to establish requirements for recovery and retrieval of abandoned Shopping and Laundry Carts.
12/17/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012242 **[Closure of Select Decaux Automatic Pay Toilets]**
Supervisor Newsom

Resolution directing the San Francisco Police Department and the Department of Public Works to jointly develop a Pilot Program in which four Decaux Automatic Pay toilets sites shall close during the recommended hours of 11:00 PM to 6:00 AM in order to mitigate the illegal use of Decaux Automatic Pay Toilets for shelter and/or for illegal activity, including drug use, prostitution and acts of vandalism.
12/17/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012243 **[Accuracy and Fairness Addition to California State History Framework]**
Supervisors Yee, Daly

Resolution urging the California State Department of Education to establish in the California State History Framework fair and accurate standards in the portrayal of the atrocities against the Chinese during the Sino-Japanese War.
12/17/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012244 **[Commend - Native American Health Center]**
Supervisors Leno, Daly, Peskin, Newsom

Resolution commending the Native American Health Center and Friendship House Association of American Indians.
12/17/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012245 **[Commend - Senator Dianne Feinstein]**
Supervisors Sandoval, Yee, Newsom, McGoldrick, Leno

Resolution commending Senator Dianne Feinstein for introducing legislation to amend the Aviation Security Bill to allow lawful permanent residents who are eligible to become U.S. citizens within one year to remain in their current positions.
12/17/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012246 **[Commendation]**
Supervisors Sandoval, Newsom, Daly, McGoldrick

Resolution commending the Filipino Bar Association of Northern California, the San Mateo Legal Aid Society and the City of Daly City for sponsoring a citizenship workshop to enable airport security screeners to maintain employment in their current positions once the Federal Aviation Security Bill is implemented.
12/17/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012247 **[Commendation]**
Supervisors Sandoval, Newsom, McGoldrick

Resolution commending the Airport Commission and the Regional Director of the Immigration and Naturalization Service for sponsoring citizenship workshops to enable airport security screeners to maintain employment in their current positions once the Federal Aviation Security Bill is implemented.
12/17/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012248 **[Commend - Raymond Zeng]**
Supervisors Sandoval, Newsom

Resolution commending Raymond Zeng for winning the "Using Water Wisely - It's A Way of Life" poster contest.

12/17/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012249 **[Commend - Nguyen Le]**
Supervisors Sandoval, Newsom

Resolution commending Nguyen Le for winning the "Using Water Wisely - It's A Way of Life" poster contest.

12/17/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012250 **[Commend - Joshua Duhon]**
Supervisors Sandoval, Newsom

Resolution commending Joshua Duhon for winning the "Using Water Wisely - It's A Way of Life" poster contest.

12/17/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012251 **[Commend - Robert Li]**
Supervisors Sandoval, Newsom

Resolution commending Robert Li for winning the "Using Water Wisely - It's A Way of Life" poster contest.

12/17/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

010640 **[Children, Youth and Families]**
Supervisors Daly, Sandoval

Hearing to study the service coordination between various commissions and agencies serving children, youth and families, including the Delinquency Prevention Commission, Youth Commission, Children and Families Commission, Juvenile Probation Commission, and Department of Children, Youth and their Families.

4/9/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

11/1/01, FILED PURSUANT TO RULE 5.38.

12/17/01, ASSIGNED to Audit, Labor and Government Efficiency Committee.

12/17/01, REACTIVATED PURSUANT TO RULE 5.24.

012252 **[SFUSD High School Wellness Centers]**
Supervisor Newsom

Hearing between a committee of the Board of Supervisors and the Youth Commission to discuss the status of the SFUSD's High School Wellness Centers located in the seven high schools in San Francisco. This discussion shall include but not be limited to status reports from the following: (1) Representatives from the seven participating high schools: Galileo, Abraham Lincoln, Lowell, Thurgood Marshall, Mission, J. Eugene McAteer, and George Washington; (2) Department of Children, Youth and Their Families; (3) Department of Public Health; (4) Community Substance Abuse Services; and, (5) San Francisco Unified School District-School Health Programs.

12/17/01, RECEIVED AND ASSIGNED to Economic Vitality, Small Business and Social Policy Committee.

012253 **[Children's Fund]**
Supervisor Newsom

Joint hearing between a committee of the Board of Supervisors and the Children's Fund Citizens Advisory Committee regarding Prop D (Children's Fund) baseline funding for fiscal year 2002-03, including but not limited to: What are the FY 2000-01 actual expenditures of the Projected Children's Fund Baseline projections; (2) Given the projected General Fund deficits for FY 2002-03, what, if any, are the pending impacts to service delivery funded by the Department of Children, Youth and Their Families; (3) What are the actual expenditures of the $200,000 that were previously budgeted for FY 2001-01 for technical assistance; and, (4) What are the projected expenditures for technical assistance for FY 2002-03.

12/17/01, RECEIVED AND ASSIGNED to Finance Committee.

012254 **[Fifteenth Avenue Gate to Presidio Park Safety Issues]**
Supervisor Newsom

Hearing to address current safety issues on North Fifteenth Avenue, including but not limited to pedestrian safety and vehicular traffic through the Fifteenth Avenue Gate leading into the Presidio Park.

12/17/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

012255 **[S.F. Department of Elections]**
Supervisor Yee

Hearing to review all investigations into the San Francisco Department of Elections since April 2000.

12/17/01, RECEIVED AND ASSIGNED to Audit, Labor and Government Efficiency Committee.

012256 **[Changes in the Administration at the Presidio Trust]**
Supervisor Yee

Hearing to discuss the changes in Administration at the Presidio Trust and how these changes might affect the level of cooperation between the Trust and the City; how these changes might affect the vision of the Trust, and its "preferred alternative" as described in the Presidio Trust Implementation Plan (PTIP); and how recent revelations into the award to the Lucas Group without pertinent financial disclosure could alter mitigations and their impact on the City.

12/17/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

012258 **[Public Hearing - 155 Fifth Street]**

Hearing of the full Board of Supervisors to consider adopting a resolution to acquire the temporary construction easement by eminent domain for easterly portions of 155 Fifth Street, in Assessor's Block 3724, Lot 66 ("the Burdened Property"), by the City and County of San Francisco for completing construction to the Moscone Center Expansion Project.

12/17/01, SCHEDULED FOR PUBLIC HEARING. Scheduled for January 14, 2001 at 3:00 P.M.

Motions

012229 **[Board Off-site Meetings]**

Supervisor Ammiano

Motion ordering the City and School District Committee meeting of the Board of Supervisors to be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on January 16, 2002, at 3:00 P.M. and directing the Clerk of the Board to prepare the proper notices and postings.

12/17/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012257 **[Eminent Domain Public Hearing, 155 Fifth Street]**

Supervisor Ammiano

Motion directing the Board of Supervisors to hold a public hearing on January 14, 2002, at 3:00 p.m., to consider adopting a Resolution of Necessity in connection with a proposal to acquire by by eminent domain a temporary construction easement on easterly portions of 155 Fifth Street in Assessor's Block 3724, Lot 066, in San Francisco, for completing construction of the Moscone Center Expansion Project.

(Companion measure to Files 012238, 012258.)

12/17/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

012233 **[Needle Exchange Emergency]**

Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

12/17/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

012222 **[Permit Expediters]**
Supervisor Daly

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding Article V, sections 5.100 to 5.135 to impose registration and disclosure requirements on permit expediters, prohibit making gifts to City officers and employees aggregating more than $50 within one year of communicating with the officer or employee regarding a permit application, prohibit former City and County officers and employees from working as permit expediters for certain periods of time after termination of service or employment with the City and County, prohibit permit expediters from entering employee-only areas of City and County departments, and prohibit City officers and employees from granting preferential treatment to any permit expediter during permitting processes.
12/12/01, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

012217 **[Accept-Expend Federal/State Pass Through Grant]**
Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $17,894 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education. (Public Library)
12/11/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

012218 **[HIV care and related services for women and minorities]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) AIDS Office (AO) to accept and expend retroactively a one year grant in the amount of $1,105,000 from the DHHS Office of Minority Health (DHHS OMH) to improve AIDS related health outcomes for women and minorities and to enter into an agreement for the use of these funds; for the period of September 30, 2001 to September 29, 2002. (Public Health Department)
12/11/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

012221 **[Approval of Lease with the United States Department of Agriculture at West Field Cargo Building 1]**
Resolution approving and authorizing the execution of a Lease with the United States Department of Agriculture for space in West Field Cargo Building 1. (Airport Commission)
12/12/01, RECEIVED AND ASSIGNED to Finance Committee.

012224 **[State Department of Rehabilitation Program Agreement]**
Resolution authorizing the San Francisco Department of Public Health to enter into a cooperative program agreement with the State Department of Rehabilitation, San Francisco District, including a required match of $289,163, to provide vocational services to mentally-ill psychiatric clients in San Francisco; for the period of July 1, 2001 to June 30, 2004. (Public Health Department)
12/7/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

012225 **[Grant - Seven Principles (REACH 2010) Project]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of $900,000 for the first year of a three year grant from the Centers for Disease Control and Prevention (CDC) for the Seven Principles (REACH 2010) project and to enter into an agreement for the use of these funds; for the period of September 30, 2001 to September 29, 2002. (Public Health Department)
12/7/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

012226 **[Supplemental Grant for projects funded under the CDC Seroepidemiology and Surveillance Cooperative Agreement]**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively supplemental grant funds in the amount of $361,547 for projects funded under the Seroepidemiology and Surveillance Cooperative Agreement with the Centers for Disease Control and Prevention (CDC) to analyze and disseminate results of ongoing HIV studies and support new research relating to AIDS/HIV in San Francisco; for the period of January 1, 2001 through December 31, 2001. (Public Health Department)

12/7/01, RECEIVED AND ASSIGNED to Public Health and Environment Committee.

Requests Granted

From: Supervisor Daly
To: Director, Administrative Services
To: Director, Law Library
Requesting/Inquiring: That the Directors of Administrative Services and the Law Library report on the relocation of the Law Library from City Hall in accordance with June 1998 Proposition F, specifically the amount of square footage in City Hall as of October 17, 1989 and any Board action taken in regard to relocation.

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft an opinion regarding the relocation of the Law Library from City Hall in accordance with June 1998 Proposition F, specifically the amount of square footage in City Hall as of October 17, 1989 and any Board action taken in regard to relocation.

From: Supervisor Daly
To: Mayor
To: Director, Department of Human Resources
To: Director, Commission on the Status of Women
Requesting/Inquiring: That the Mayor and the Directors of the Department of Human Resources and Commission on the Status of Women report on their position of an ordinance that would pay City employees full wages for up to four months of maternity leave.

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft an opinion regarding an ordinance that would pay City employees full wages for up to four months of maternity leave.

From: Supervisor Gonzalez
To: Director, Mayor's Criminal Justice Council
Requesting/Inquiring: To report on implementation plans and separate cost estimates for extending the hours of operation at the Community Assessment and Referral Center from its current 96 hours per week (Monday through Saturday, 10 a.m. to 2 a.m.) to:

1. *24 hours per day, seven days per week;*
2. *Opening at 8 a.m. and remaining open until 4 a.m., seven days per week; and*
3. *Opening at 9 a.m. and remaining open until 3 a.m., seven days per week.*

From: Supervisor Hall
To: Director, Department of Public Works
Requesting/Inquiring: To report on what steps need to be taken by residents of Idora Avenue to gain landmark tree status for the trees along the median strip on Idora Avenue.

From: Supervisor Hall
To: NorCal
Requesting/Inquiring: To report on the possibility of working with cable and utility providers, who currently maintain shared sets of keys that often provide access to the same areas on private property as those to which the garbage company needs access, about using this set of keys in order to spare their customers from paying the $14.95 fee required by NorCal for their own set of keys?

From: Supervisor Leno
To: Director, Bay Area Rapid Transit District (BART)
Requesting/Inquiring: To report what measures the agency is taking to ensure that BART drug searches do not

involve the harassment of patients who use medical cannabis, specifically;
a) What policies are in place for BART Police to allow carriers of a valid San Francisco Medical Cannabis ID Card to ride BART without being harassed for possession of medical cannabis?
b) Given BART'S trial drug search in cooperation with U.S. Customs officers, does the agency intend to seek counsel of the City of San Francisco and other cities served by BART if the agency formalizes a search program with U.S. Customs?

From: Supervisor Newsom
To: Director, Department of Public Works
To: Chief of Police
Requesting/Inquiring: That the Director of the Department of Public Works and the Chief of Police submit information on safety incidents on or around median strips. Statistics should include but not be limited to information on the different types of safety incidents: automobile, motorcycle, bicycle, pedestrians traveling through the intersection on foot, and those pedestrians lingering on the median strip. Information should be presented on the causes of the safety incidents and if property damage, injury, or a fatality occurred as a result of the incidents.

From: Supervisor Sandoval
To: City Attorney
Requesting/Inquiring: To draft an ordinance requiring the San Francisco International Airport to get approval from the Board of Supervisors on any legal dispute involving construction contracts.

From: Supervisor Sandoval
To: City Attorney
Requesting/Inquiring: To draft an ordinance (Equitable Distribution of Funds) mandating that 20% of all grant money distributed by City departments be set aside and distributed equitably among geographic segments of the City that have not received any grant monies within the last two years.

From: Supervisor Sandoval
To: City Attorney
Requesting/Inquiring: To draft an ordinance setting forth guidelines for the siting of chain stores that would promote an equitable distribution of stores and prevent over concentration in certain neighborhoods.

From: Supervisor Sandoval
To: Director, Department of Public Works
To: General Manager, Muni
Requesting/Inquiring: That the Director of the Department of Public Works and the General Manager of Muni report on the feasibility of placing signage at the intersection of San Jose Avenue and Santa Rosa Avenue, indicating light-rail car and automobile traffic to pedestrians. Note that a pedestrian fatality occurred at this intersection on August 16, 2001.

From: Supervisor Yee
To: City Attorney
Requesting/Inquiring: To draft legislation to amend the Police Code Section 10.36 to include provisions regarding the use of computer generated games.

From: Supervisor Sandoval
To: Director, Department of Public Works
Requesting/Inquiring: To investigate and report on the cause(s) of traffic accidents and destruction of residential property at the intersections of Alemany and Mount Vernon (see attached photographs), and to report on the feasibility of placing a "No Left Turn" sign at said intersection, heading southwest on Alemany.

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased

John McMahon (Supervisor Hall)
Lillian Graf (Supervisor Hall)
Charles Lamb (Supervisor Sandoval)
Audrey Lavalais (Supervisor Sandoval)

ADJOURNMENT

There being no further business, the Board at the hour of 4:52 p.m. adjourned

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 4, 2002.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited

Gloria L. Young
Clerk of the Board

42442

HOUCHEN
BINDERY LTD
UTICA/OMAHA NE.
2004